

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - S/S Eastern Blvd.,
199.95' E of Chesapeake Park Dr. * DEPUTY ZONING COMMISSIONER
(2333 Eastern Boulevard)
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District * Case No. 98-173-XA

Exxon Pipeline Company and
Exxon Corporation - Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of amended Petitions for Special Exception and Variance filed by the owners of the subject property, Exxon Pipeline Company and Exxon Corporation, through their attorney, David K. Gildea, Esquire. The Petitioners request special exception relief to permit a fuel service station use in combination with a convenience store and carry-out restaurant, with an ancillary use ATM. In addition to the special exception relief sought, the Petitioners seek variance relief from Section 450 of the Baltimore County Zoning Regulations to permit freestanding enterprise signage of 104.68 sq.ft. total in lieu of the maximum permitted 75 sq.ft. The subject property and relief sought are more particularly described on the 4-page site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were representatives of the Exxon Corporation, and David K. Gildea, Esquire, Counsel for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.99 acres, more or less, zoned M.H.- I.M., and is presently improved with a vacant bank building formerly owned by the Equitable Trust Company. The Petitioners recently acquired the property

ORDER RECEIVED FOR FILING
11/13/98
Date
By

and are desirous of converting same to a combination fuel service station, Tiger Mart convenience store, and carry-out restaurant, with an ancillary ATM use. The proposed use of this site is a new prototype being offered by Exxon Corporation which will not only include gasoline service and convenience store items, but will also offer carry-out foods, such as those associated with Jerry's Subs or Blimpy's Subs, and an ATM machine. The entire renovation of the subject site will be an improvement to the area in general and will benefit the surrounding community. While the Petitioners would be permitted to have two (2) freestanding signs totaling 150 sq.ft., they wish to erect only one freestanding sign of 104.68 sq.ft. total, given the multiple uses proposed for this site. Testimony indicated that the proposed sign would be placed along Eastern Boulevard.

It is clear that the B.C.Z.R. permits the use proposed in a M.H.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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Date 11/3/98
By [Signature]

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would be unnecessar-

ily burdensome for the Petitioners. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of January, 1998 that the Petition for Special Exception to permit a fuel service station use in combination with a convenience store and carry-out restaurant, with an ancillary use ATM, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450 of the Baltimore County Zoning Regulations to permit one (1) freestanding sign of 104.68 sq.ft. total in lieu of the maximum permitted 75 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, a landscape plan shall be submitted for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 1/13/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

January 13, 1998

David K. Gildea, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/S Eastern Blvd., 199.95' E of Chesapeake Park Dr.
(2333 Eastern Boulevard)
15th Election District - 5th Councilmanic District
Exxon Pipeline Company and Exxon Corporation - Petitioners
Case No. 98-173-XA

Dear Mr. Gildea:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. J. K. Gorte, Exxon Pipeline Company
800 Bell Street, Suite 1879, Houston, TX 77002

Mr. Robert Casserta, Exxon Corporation
6301 Ivy Lane, Suite 700, Greenbelt, MD 20770

People's Counsel; Case Files





Amended

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2333 Eastern Boulevard

which is presently zoned MH-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Fuel service station use in combination with convenience store and a carry-out restaurant with an ancillary use ATM.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

~~Contractor/Leasee:~~

Exxon Corporation

(Type or Print Name)

[Signature]

Signature

6301 Ivy Lane, Suite 700

Address

Greenbelt, MD 20770

City

State

Zipcode

Attorney for Petitioner:

Whiteford, Taylor & Preston, L.L.P.

David K. Gildea, Esquire

(Type or Print Name)

[Signature]

Signature

210 W. Pennsylvania Ave., 4th Floor

Address

Phone No.

Towson, MD 21204 (410)832-2066

City

State

Zipcode

Legal Owner(s):

Exxon Pipeline Company

(Type or Print Name)

[Signature]

Signature

J. K. GORTE

(Type or Print Name)

Signature

800 Bell Street, Suite 1879

Address

Phone No.

Houston, TX 77002

(713)656-8214

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

David K. Gildea, Esquire

Name

210 W. Pennsylvania Ave. (410)832-2066

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date

By



Zoning Administration

Development Management



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2333 Eastern Boulevard

which is presently zoned MH-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Fuel service station use in combination with convenience store and a carry-out restaurant with ancillary use ATM.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Exxon Corporation
(Type or Print Name)

[Signature]

Signature Robert Caserta
6301 Ivy Lane, Suite 700

Address

Greenbelt, MD 20770

City State Zipcode

Attorney for Petitioner:

David K. Gildea

(Type or Print Name)

Whiteford, Preston & Taylor L.L.P.
210 W. Pennsylvania Ave, 4th Floor

Signature

Towson, MD 21204 (410)832-2066

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Equitable Trust Co. (NAB NATIMSBANK, N.A.)
(Type or Print Name)

Signature

[Signature]
VICTOR L. SAVILLE
VICE PRESIDENT

(Type or Print Name)

Signature

100 S. Charles Street

(410)547-4321

Address

Phone No.

Baltimore, MD 21201

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

98-173-XA 173



Amended

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2333 Eastern Boulevard

which is presently zoned MH-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

450 to permit 104.68 square feet of freestanding enterprise signage in lieu of the required 75 square feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

to be presented at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

~~Owner(s)~~ Lessee:

Exxon Corporation
(Type or Print Name)

[Signature]
Signature

6301 Ivy Lane, Suite 700
Address

Greenbelt, MD 20770
City State Zipcode

Attorney for Petitioner: Whiteford, Taylor & Preston LLP
David K. Gildea, Esquire
(Type or Print Name)

David K. Gildea
Signature

210 W. Pennsylvania Ave., 4th Floor
Address
Towson, MD 21204 Phone No. (410) 832-2066
City State Zipcode

Printed with Soybean Ink
on Recycled Paper

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Pipeline Company
(Type or Print Name)

J. K. Gorte
Signature

J. K. GORTE
(Type or Print Name)

Signature

800 Bell Street, Suite 1879
Address
Houston, TX 77002 Phone No. (713) 656-8214

City State Zipcode
Name, Address and phone number of representative to be contacted.

David K. Gildea, Esquire
Name
210 W. Pennsylvania Ave. (410) 832-2066
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
Date 11/2/00
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2333 Eastern Boulevard

which is presently zoned MH-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 450 -- To Permit 104.68 square feet of free standing signage in lieu of the required 75 square feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

EXXON CORPORATION

(Type or Print Name)

[Signature]

Signature **Robert Caserta**

6301 Ivy Lane, Suite 700

Address

Greenbelt, Md. 20770

City

State

Zipcode

Attorney for Petitioner:

David K. Gildea, Esquire

(Type or Print Name)

[Signature]

Signature

Whiteford, Taylor & Preston, L.L.P.

210 W. Pennsylvania Ave, 4th Fl.

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

(410) 832-2066

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

EQUITABLE TRUST CO.

(Type or Print Name)

[Signature]

Signature

VICTOR L. SAVILLE

VICE PRESIDENT

(Type or Print Name)

Signature

100 South Charles Street (410) 547-4321

Address

Phone No.

Baltimore, Maryland 21201

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

98-173-XA

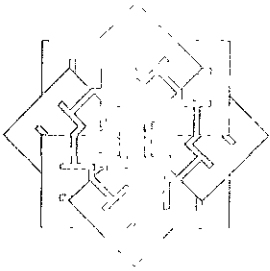
173



Printed with Soybean Ink
on Recycled Paper

Zoning Administration

Development Management



FREDERICK WARD ASSOCIATES, INC.
ENGINEERS • ARCHITECTS • SURVEYORS

ZONING DESCRIPTION

2333 Eastern Boulevard
Fifteenth Election District
Baltimore, Maryland

BEGINNING for the same at a point along the southerly right-of-way line of Eastern Boulevard, Maryland Route 150. Said point of beginning being the beginning point of a conveyance to The Equitable Trust Company by a deed dated August 19, 1975 and recorded among the Land Records of Baltimore County, Maryland at Liber E.H.K., Jr. 5589, folio 311. Thence, on said right-of-way line and on the first course of the conveyance unto The Equitable Trust Company.

1) North 68°51'26" East 199.94 feet to the intersection of said right-of-way line with the southeasterly line Chesapeake Drive. Thence, leaving Eastern Boulevard and running and binding along the said Chesapeake Drive, and on the second course of the conveyance unto The Equitable Trust Company.

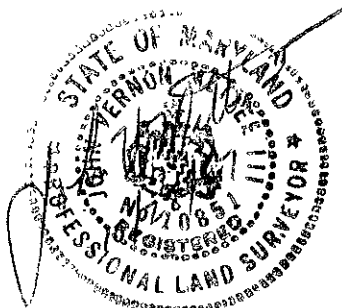
2) South 21°21'48" East 217.73 feet to a point,

3) South 68°51'26" West 199.94 feet to a point,

4) North 21°21'48" West 217.73 feet to the point of beginning hereof.

CONTAINING 43,532 square feet (0.9994 acre) of land more or less.

BEING all of that tract or parcel of land conveyed from Chesapeake Park, Inc., a body corporate of the State of Maryland to The Equitable Trust company, a body corporate of the State of Maryland by a deed dated August 19, 1975 and recorded among the Land Records of Baltimore County, Maryland at Liber E.H.K., Jr. 5589, folio 311.



98-173-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044352

DATE 31 Oct 97 ACCOUNT R0016150

CAM
173
AMOUNT \$ 550.00

RECEIVED
FROM:

Exxon Corp (Whiteford, Taylor, Pester)

FOR:

XA 2333 Eastern

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

POWERED BY

10/31/97 10/31/97

REF 0001 CASHIER CLERK

5 MISCELLANEOUS CASH RECEIPT

RECEIVED 2 0/0/00

CR NO. 044352

550.00

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-173-XA
2333 Eastern Boulevard
S/S Eastern Boulevard at intersection Chesapeake Park Drive
15th Election District
5th Councilmanic

Legal Owner(s):
Equitable Trust Co. (now Nations Bank, N.A.)
Contract Purchaser:
Exxon Corporation

Special Exception: for fuel service station use in combination with convenience store and a carry-out restaurant with ancillary use ATM. **Variance:** to permit 104.58 square feet of free standing signage in lieu of the required 75 square feet

Hearing: Friday, December 12, 1997 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

11/387 Nov. 27 C192408

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 27, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 27, 19 97.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 98-173-XA
Petitioner/Developer:
(Bxxon Corp.)
Date of Hearing/~~Closing~~:
(Dec. 12, 1997)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

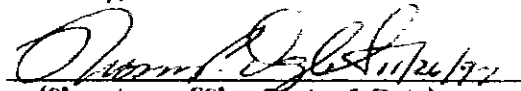
Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
_____2333 Eastern Blvd. Baltimore, Maryland 21220_____**

**The sign(s) were posted on _____Nov. 26, 1997_____
(Month, Day, Year)**

Sincerely,

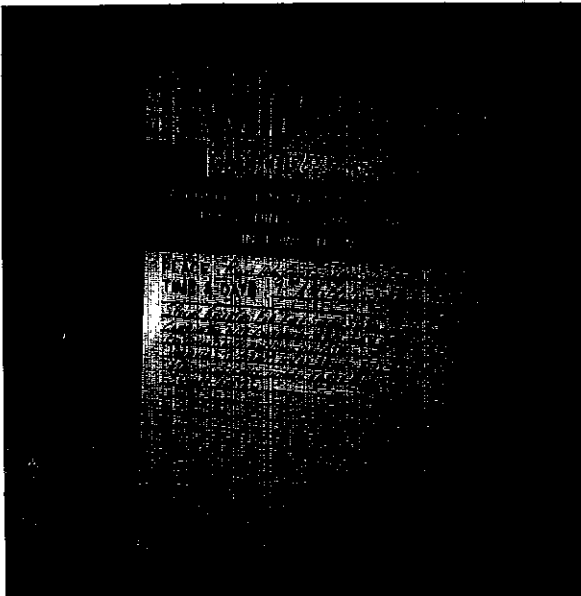

(Signature of Sign Poster & Date)

_____**Thomas P. Ogle, Sr.**_____

_____**325 Nicholson Road**_____

_____**Baltimore, Maryland 21221**_____

_____**(410)-687-8405**_____
(Telephone Number)



98-173-XA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-173-XA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Exception for a Fuel Service Station
with a convenience store, carry out and ATM and
a VARIANCE to permit a freestanding
sign to have 104.68 square feet of message
in lieu of the required 75 square foot

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 173

Petitioner: Exxon Corp.

Location: 2333 Eastern Blvd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David K. Golden, Esq. Whitford Taylor & Preston

ADDRESS: 210 W. Penn. Ave. Suite 400

Towson, MD 21204

PHONE NUMBER: (410) 832-2000

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-173-XA
2333 Eastern Boulevard
S/S Eastern Boulevard at intersection Chesapeake Park Drive
15th Election District - 5th Councilmanic District
Legal Owner: Equitable Trust Co. (now Nations Bank, N.A.)
Contract Purchaser: Exxon Corporation

Special Exception for fuel service station use in combination with convenience store and a carry-out restaurant with ancillary use ATM. Variance to permit 104.68 square feet of free standing signage in lieu of the required 75 square feet.

HEARING: Friday, December 12, 1997 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small mark below it.

Arnold Jablon
Director

c: David K. Gildea, Esquire
Equitable Trust Company
Exxon Corporation

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 26, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

David K. Gildea, Esquire 410-832-2000
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Suite 400
Towson, MD 21204

NOTICE OF HEARING

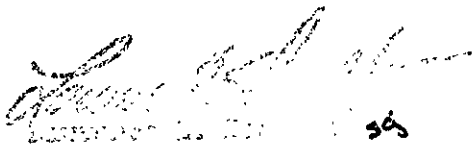
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-173-XA
2333 Eastern Boulevard
S/S Eastern Boulevard at intersection Chesapeake Park Drive
15th Election District - 5th Councilmanic District
Legal Owner: Equitable Trust Co. (now Nations Bank, N.A.)
Contract Purchaser: Exxon Corporation

Special Exception for fuel service station use in combination with convenience store and a carry-out restaurant with ancillary use ATM.

Variance to permit 104.68 square feet of free standing signage in lieu of the required 75 square feet.

HEARING: Friday, December 12, 1997 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 1997

David K. Gildea, Esquire
Whitefore, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue, 4th Floor
Towson, MD 21204

RE: Item No.: 173
Case No.: 98-173-XA
Petitioner: Equitable Trust Co.

Dear Mr. Gildea:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 31, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



INTEROFFICE CORRESPONDENCE

Date: November 24, 1997

SUBJECT: Zoning Advisory Committee Meeting
for November 24, 1997
Item no. 173

The change of use permits makes this proposal subject to the Baltimore County Landscape Manual to the extent possible.

cc: File

ZONE1124.173

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: December 1, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 2333 Eastern Boulevard

INFORMATION

Item Number: 173

Petitioner: Exxon Corporation

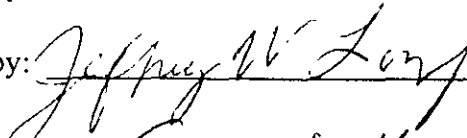
Zoning: MH-IM

Summary of Recommendation:

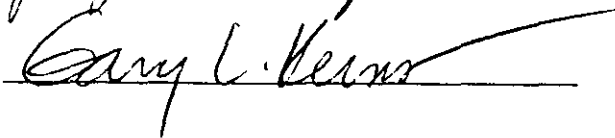
Staff supports the requested Special Exception to use the subject property for a fuel service station use in combination with convenience store and carry-out restaurant with ancillary use ATM, provided that there is full compliance with the Baltimore County Landscape Manual. Since the State of Maryland and Baltimore County will be funding a major corridor improvement program for Eastern Boulevard (between MD 702 and Martin Boulevard), the Office of Planning would like the opportunity to review and approve the landscape plan prior to the issuance of any building permits.

Given the fact that significant State and County funding will be used to improve the image of the Eastern Avenue corridor, staff recommends that the requested sign Variance be denied since sign clutter is one of the factors contributing to the development of unsightly commercial corridors.

Prepared by:



Division Chief:



AFK/JL



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

November 20, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Equitable Trust Co. (now Nations Bank, N.A.)

Location: DISTRIBUTION MEETING OF November 17, 1997

Item No.: 173 Zoning Agenda:

Gentlemen:

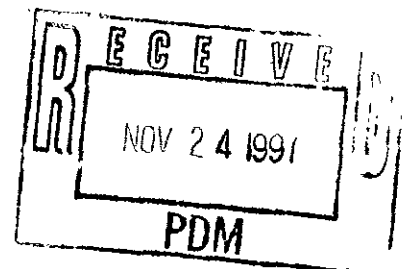
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Nov 17, 97

DATE: 11/21/97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

123	181
177	183
178	184
179	
180	

RBS:sp

BRUCE2/DEPRM/TXTS8P



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

November 18, 1997

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 173 (CAM)
Exxon Corporation
2333 Eastern Boulevard
MD 150
S/S Eastern Blvd. at
Chesapeake Park Drive
Mile Post 6.27

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the Special Exception.

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office with the following improvements required:

- Auxiliary lane widening of 12' from the edge of existing travel lane; all paving modifications in this are at the sole discretion of the permit inspector and/or the RME, cores may be required to verify the pavement depth prior to construction and/or after final paving. This is to allow the State Highway Administration's inspector/RME to determine if the pavement will need to be replaced.
- Type "A" combination curb and gutter and 4' concrete sidewalk along the property frontage.

Should you have any questions, please contact Larry Gredlein at 410-545-5606.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits Division

LG/eu

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Jim
12/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: December 1, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 2333 Eastern Boulevard

INFORMATION

Item Number: 173

Petitioner: Exxon Corporation

Zoning: MH-IM

Summary of Recommendation:

Staff supports the requested Special Exception to use the subject property for a fuel service station use in combination with convenience store and carry-out restaurant with ancillary use ATM, provided that there is full compliance with the Baltimore County Landscape Manual. Since the State of Maryland and Baltimore County will be funding a major corridor improvement program for Eastern Boulevard (between MD 702 and Martin Boulevard), the Office of Planning would like the opportunity to review and approve the landscape plan prior to the issuance of any building permits.

Given the fact that significant State and County funding will be used to improve the image of the Eastern Avenue corridor, staff recommends that the requested sign Variance be denied since sign clutter is one of the factors contributing to the development of unsightly commercial corridors.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

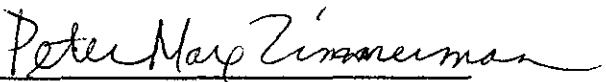
RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE
2333 Eastern Boulevard, S/S Eastern Blvd * ZONING COMMISSIONER
at intersection Chesapeake Park Drive
15th Election District, 5th Councilmanic * OF BALTIMORE COUNTY

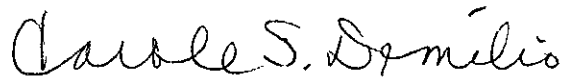
Legal Owner(s): Equitable Trust Co. (now NationsBank, N.A.)
Contract Purchaser(s): Exxon Corporation
Petitioners * CASE NO. 98-173-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

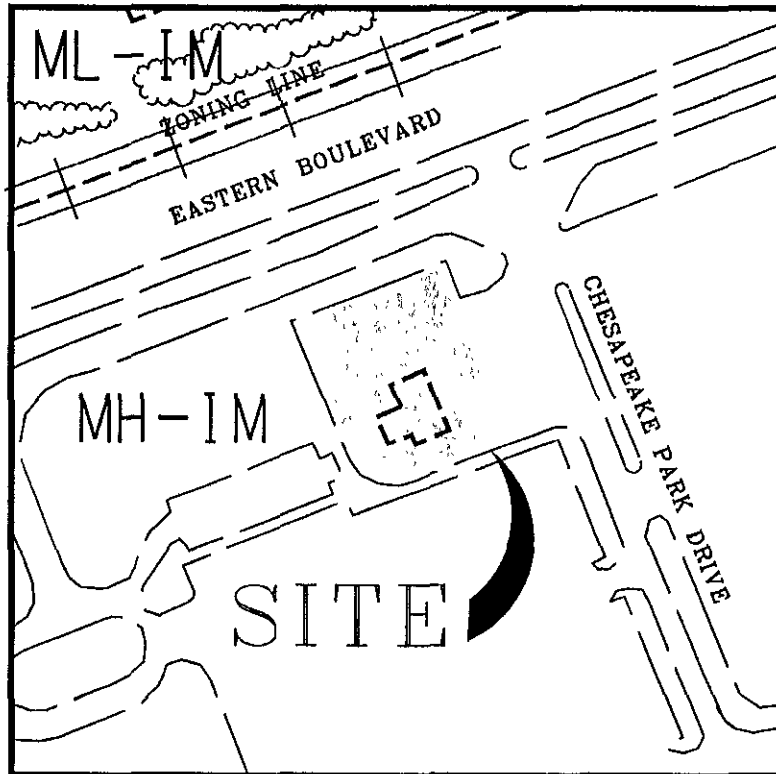

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to David K. Gildea, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, 4th Floor, attorney for Petitioner.


PETER MAX ZIMMERMAN



98-173-XA

SCALE
1" = 200'

DATE
10/28/97

DR. BY
JJ

CH. BY
GHR

RAS. NO.
8-0050

JOB NO.
97254



FREDERICK WARD ASSOCIATES, INC.

ENGINEERS • ARCHITECTS • SURVEYORS

P.O. BOX 727, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014
PHONE: (410) 879-2090 (410) 838-7900 FAX: (410) 893-1243

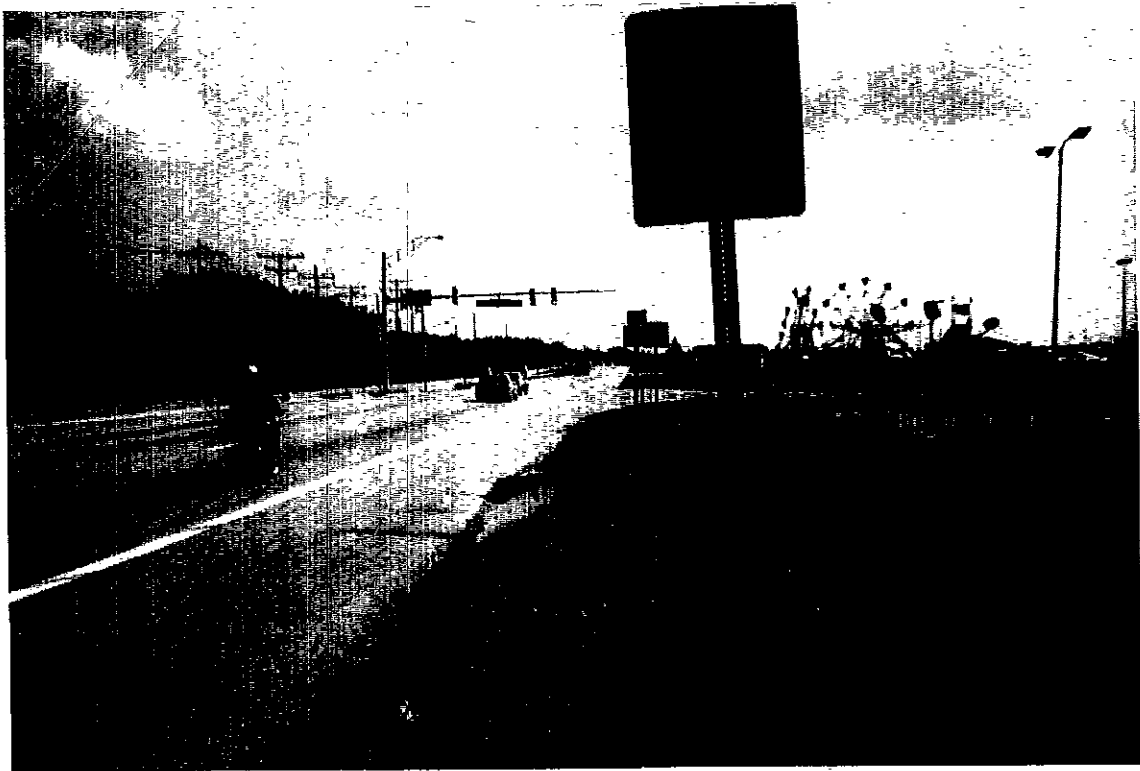
EXXON COMPANY, U.S.A.

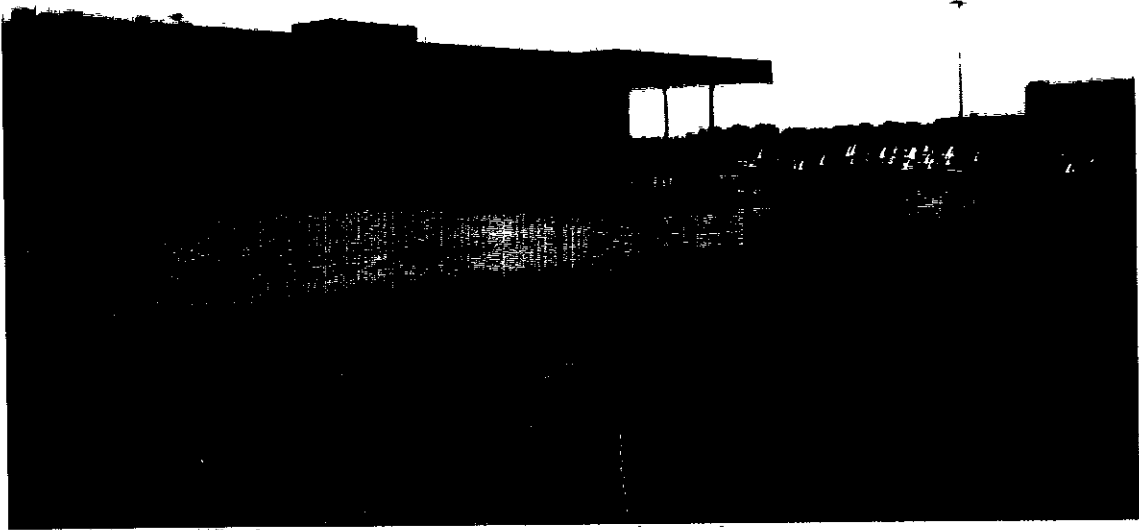
ZONING MAP

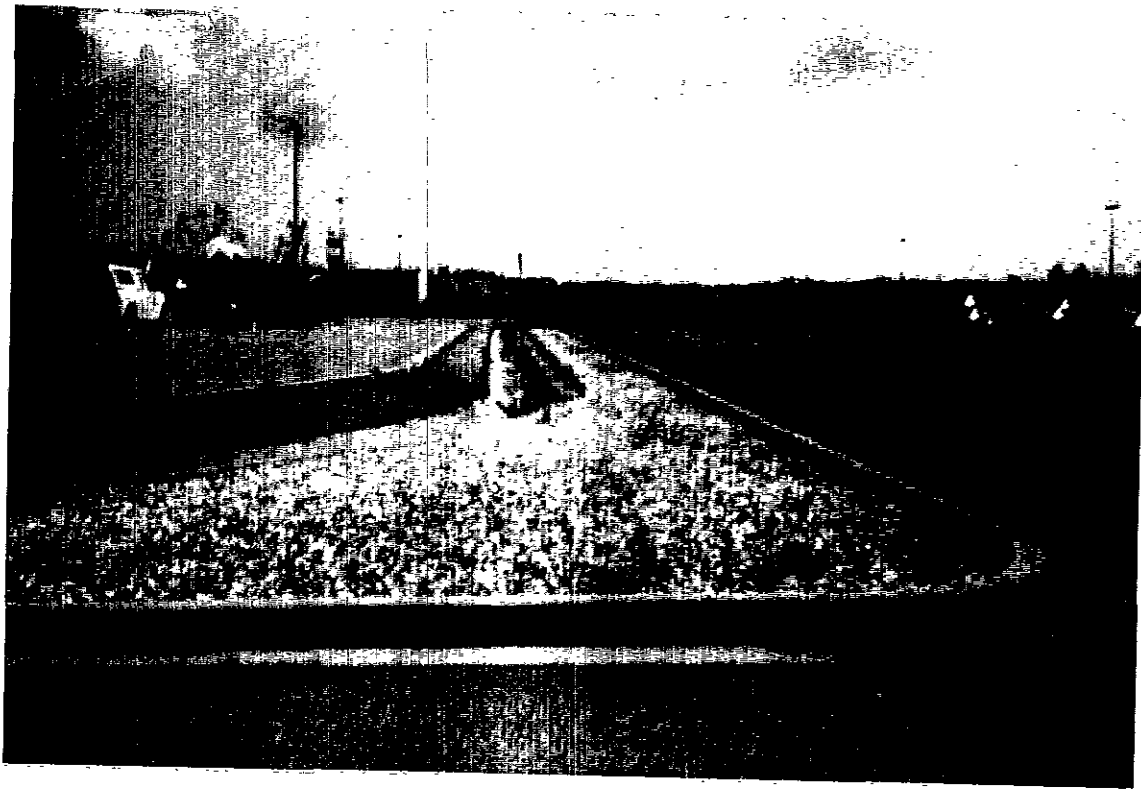
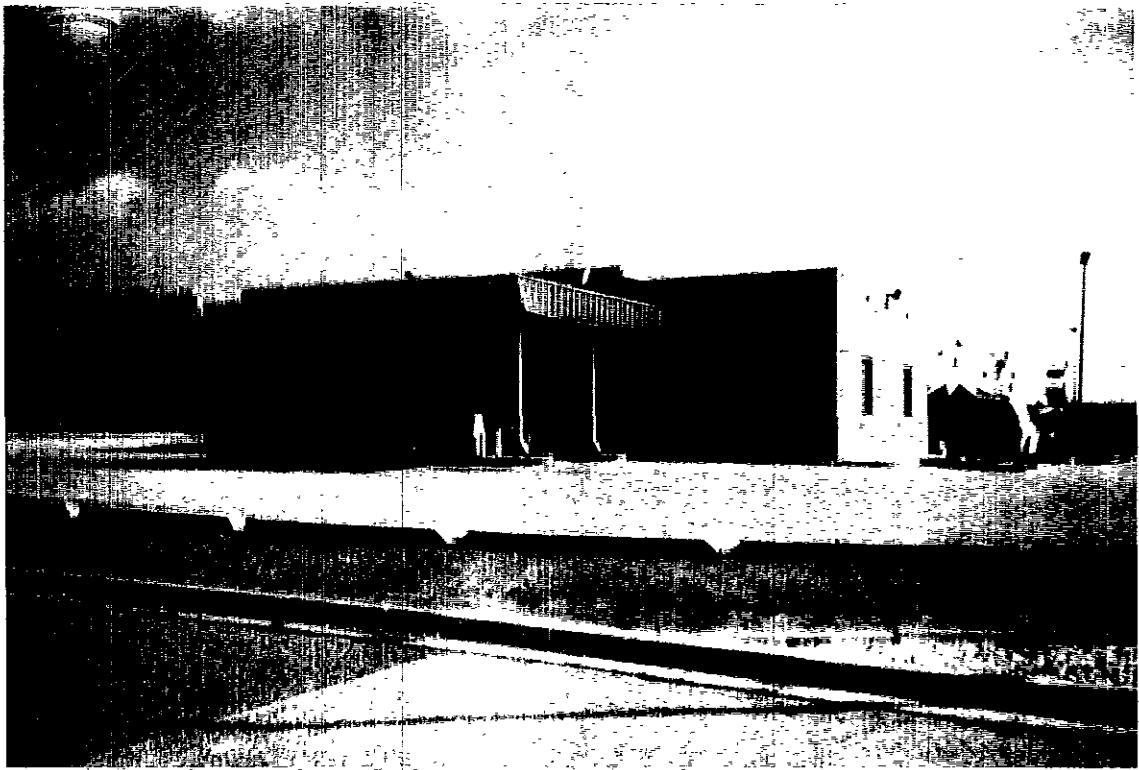
FOR AN EXXON STATION LOCATED AT
2333 EASTERN BOULEVARD
BALTIMORE, MARYLAND

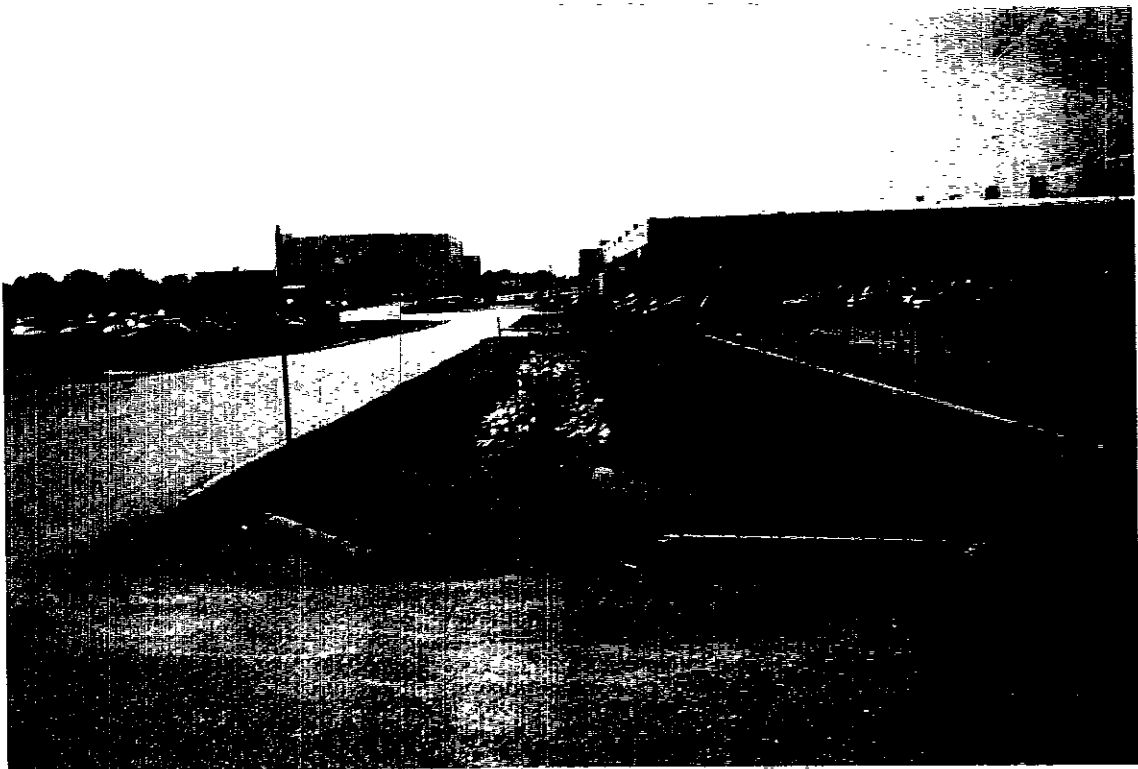
Pettinier's
Exhibit
2A-2I

photograph
98-173-XA

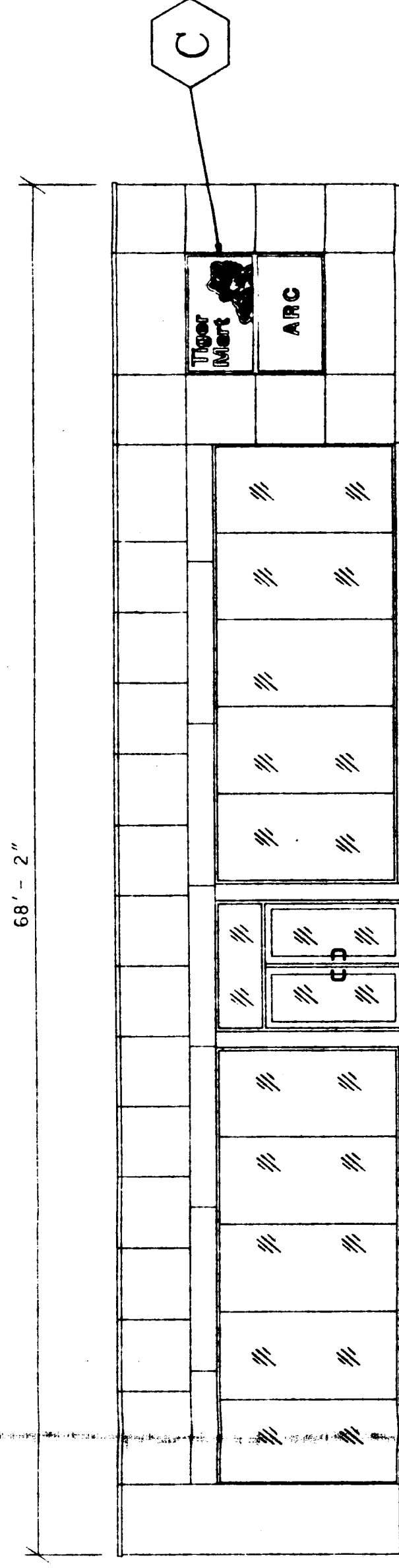
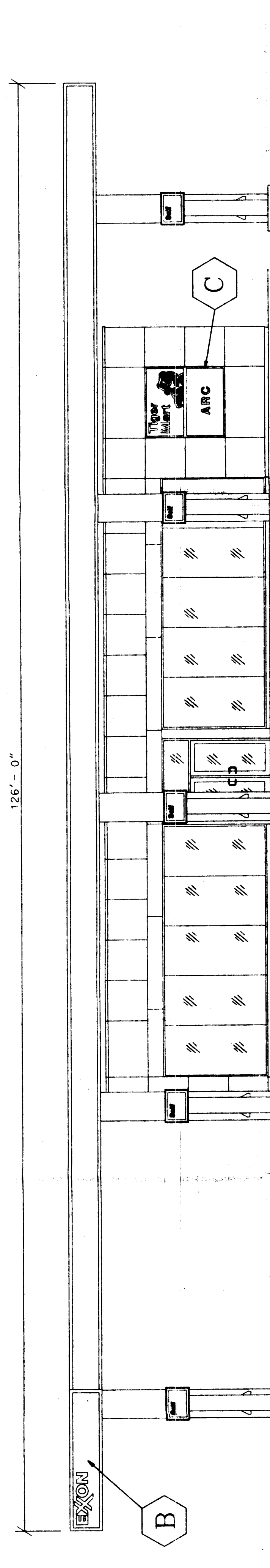
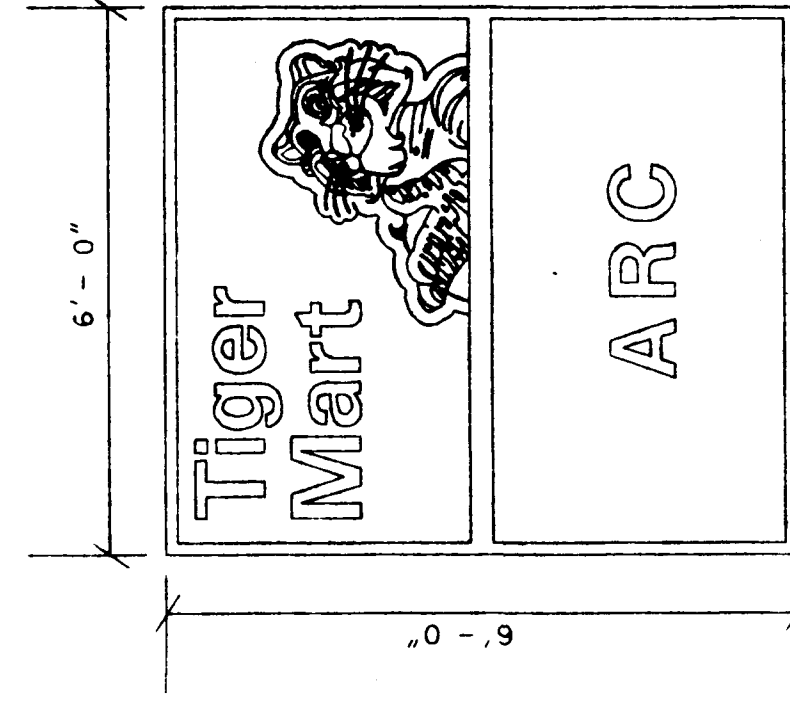
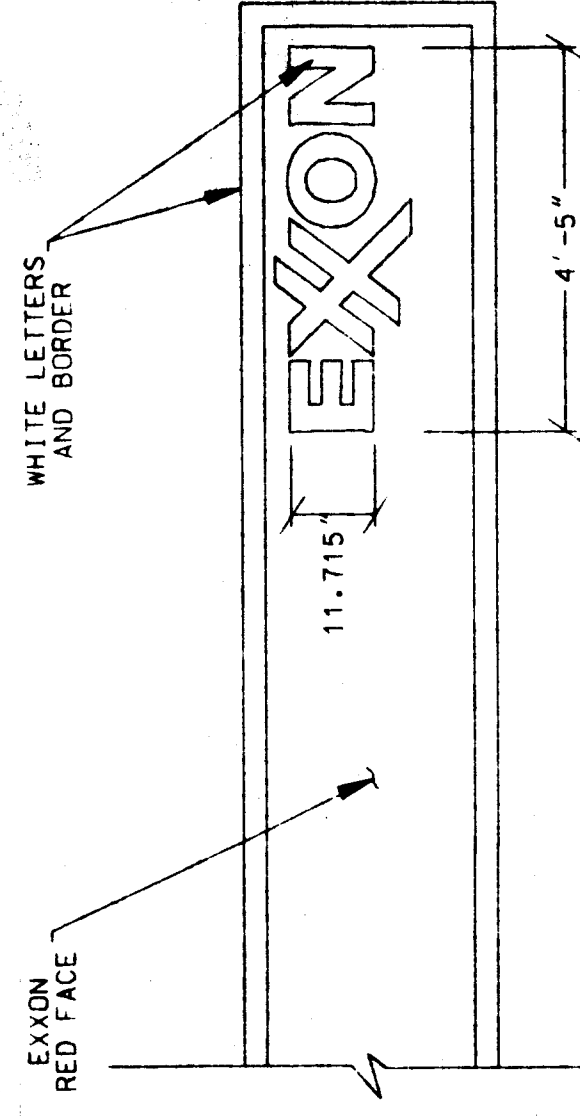
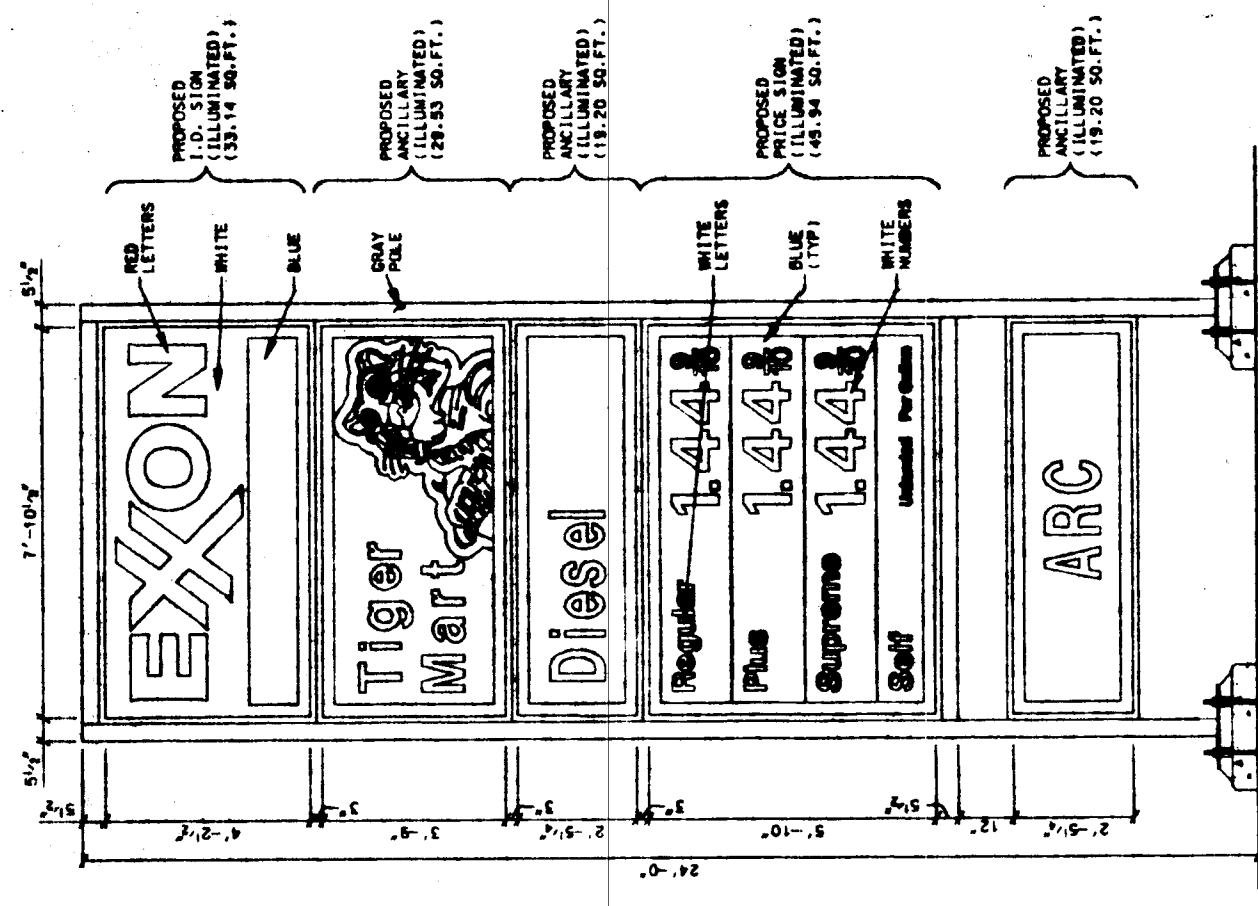












SIGNAGE CALCULATIONS

1. FREESTANDING SIGNAGE:
 A. PERMITTED: 75 SO.FT. (PURSUANT TO BC2R 450 ET SEQ.)
 B. PROPOSED: FREESTANDING SIGN:
 ENVOY D: 33.14 SO.FT.
 TIGER WART: 29.53 SO.FT.
 DIESEL 19.20 SO.FT.
 PRICE (SELF): 3.61 SO.FT.
 ARC: 19.20 SO.FT.
 TOTAL 104.68 SO.FT.

- ## 11. BUILDING/CANOPY SIGNAGE:

- PERMITTED: 25 SQ.FT. PER CANOPY SIGN (MAXIMUM OF 6)
(PURSUANT TO BCZR 450 ET SEQ.)

- PROPOSED: TWO 4.33 SQ.FT. CANOPY FASCIA SIGNS**

- B. BUILDING**
PERMITTED: TWO SQ.FT. PER LINEAR FT OF BLDG FRONTAGE
(PURSUANT TO BCZR 450 ET SEQ.)

- EASTERN BOULEVARD: 2 ± 60'-2" = 136.32 SQ.FT.**

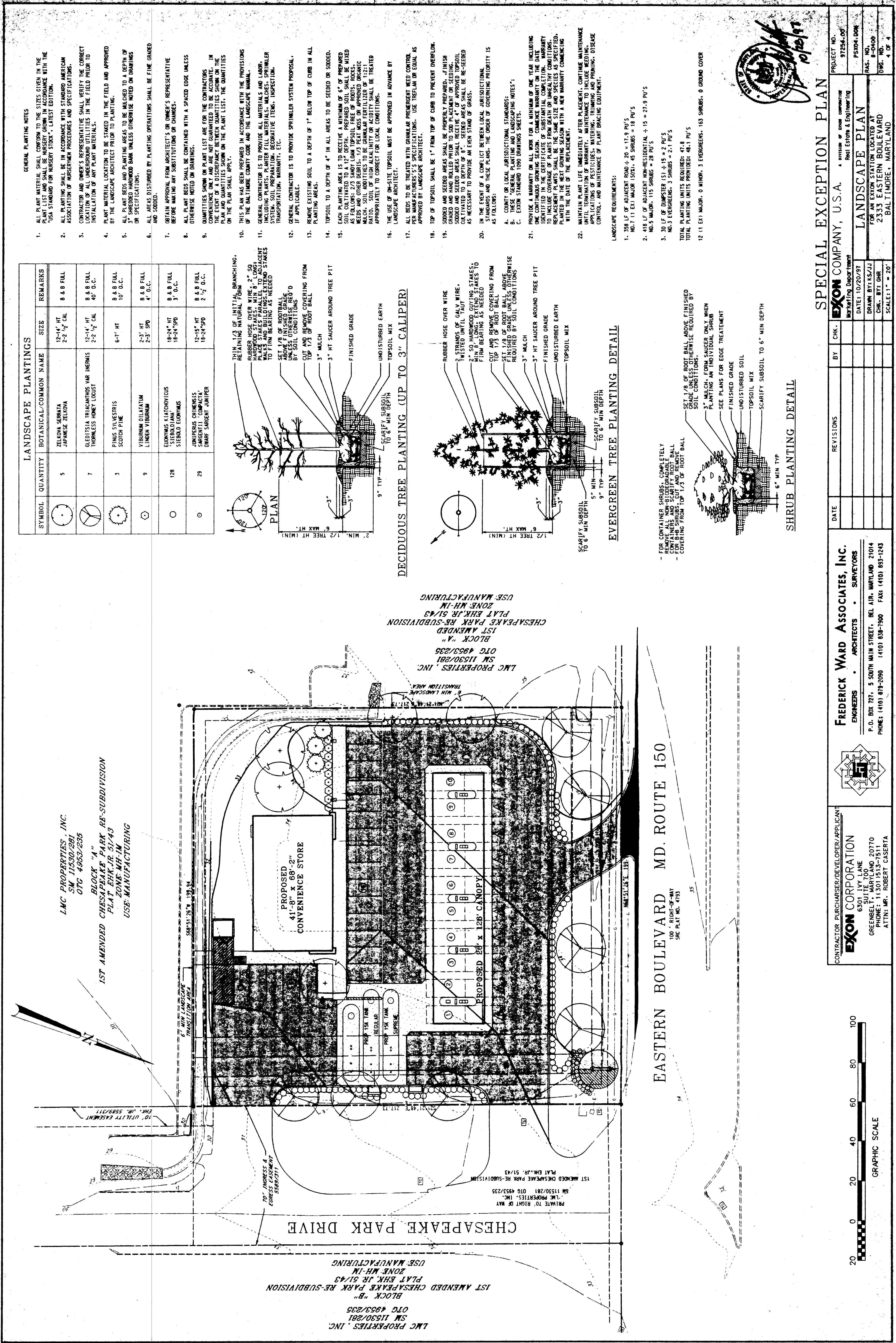
- PROPOSED: (1) ONE TIGER MART/ARC SIGN OF 36 S
FRONTING EASTERN BOULEVARD

- (2) ONE TIGER MART/ARC SIGN OF 36 S
FRONTING CHESAPEAKE PARK DRIVE

- ADJOINING PROPERTY SIDEWALK: 2 x 68'-2" = 136.32 SQ.FT.

- PROPOSED: ONE TIGER MART/ARC SIGN OF 36 SQ.FT
ON THE REAR OF THE BUILDING

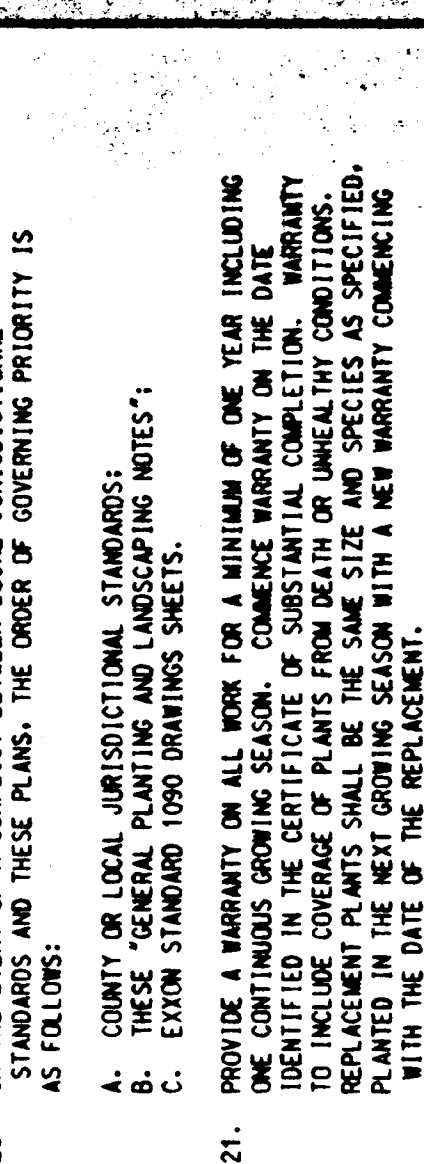
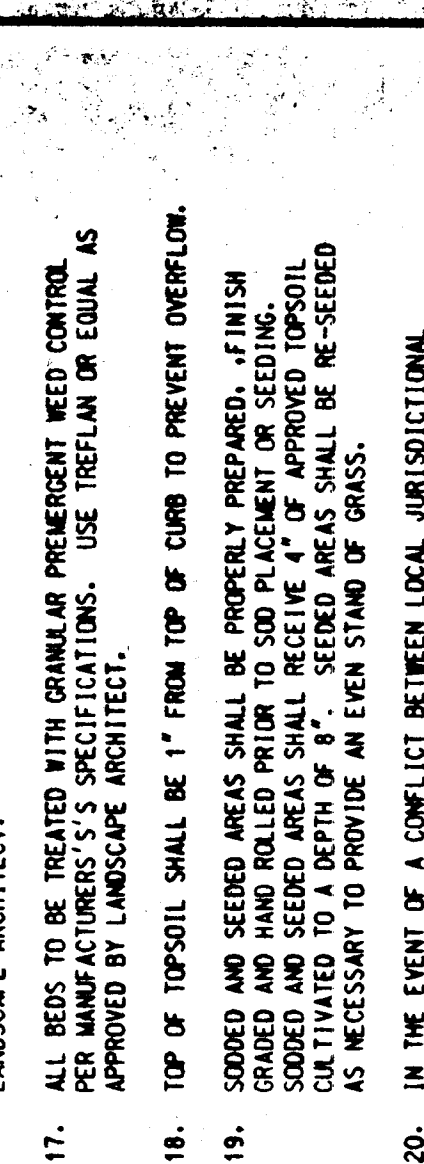
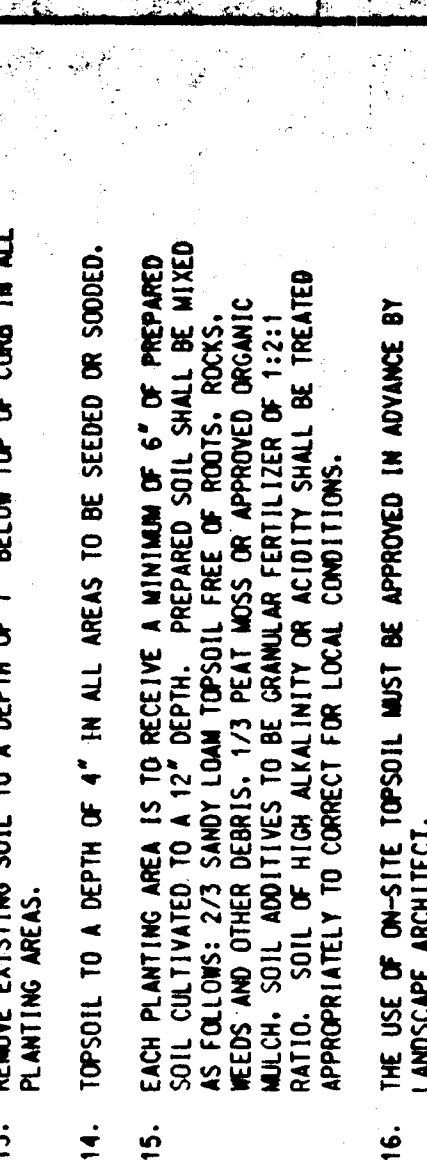
CONTRACT PURCHASER/DEVELOPER/APPLICANT EXCON CORPORATION 6301 IVY LANE GREENBELT SUITE 700 MD 20770 PHONE: 1 (301) 513-7511 ATTN: MR. ROBERT CASERTA		 FREDERICK WARD ASSOCIATES, INC. ENGINEERS • ARCHITECTS • SURVEYORS P. O. BOX 727, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014 PHONE: (410) 879-2090 (410) 838-7900 FAX: (410) 853-1243		DATE REVISIONS		BY CHK.		MARKETING DEPARTMENT FOR AN EXCON STATION LOCATED AT 2333 EASTERN BOULEVARD BALTIMORE, MARYLAND		PROJECT NO. 97284-00 PSX09, R04 RAS 9-0100 DRG. NO. 9-01-4 5 OF 4	
EXCON COMPANY, U.S.A. a division of excon corporation Real Estate & Engineering				BUILDING AND SIGNAGE PLAN				DATE: 10/20/97 DRAWN BY: KJS/JJ CHK. BY: GHR			



- GENERAL PLANTING NOTES**
1. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE USDA STANDARD FOR NURSERY STOCK, LATEST EDITION.
 2. ALL PLANTING SHALL BE IN ACCORDANCE WITH STANDARD AMERICAN ASSOCIATION OF NURSERYMEN PROCEDURES AND SPECIFICATIONS.
 3. CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL VERIFY THE CORRECT LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO INSTALLATION OF ANY PLANT MATERIALS.
 4. PLANT MATERIAL LOCATION TO BE STAKED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
 5. ALL PLANT BEDS AND PLANTING AREAS TO BE MULCHED TO A DEPTH OF 3" SHREDED HARDWOOD BARK UNLESS OTHERWISE NOTED ON DRAWINGS OR SPECIFICATIONS.
 6. ALL AREAS DISTURBED BY PLANTING OPERATIONS SHALL BE FINE GRADED AND SOODED.
 7. OBTAIN APPROVAL FROM ARCHITECT'S OR OWNER'S REPRESENTATIVE BEFORE MAKING ANY SUBSTITUTIONS OR CHANGES.
 8. ALL PLANT BEDS SHALL BE CONTAINED WITH A SPACED EDGE UNLESS OTHERWISE NOTED ON DRAWINGS.
 9. QUANTITIES SHOWN ON PLANT LIST ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY AND ARE NOT GUARANTEED TO BE ACCURATE. IN THE EVENT OF A DISCREPANCY BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND QUANTITIES SHOWN ON THE PLANT LIST, THE QUANTITIES ON THE PLANT LIST SHALL APPLY.
 10. THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE AND THE LANDSCAPE MANUAL.
 11. GENERAL CONTRACTOR IS TO PROVIDE ALL MATERIALS AND LABOR, INCLUDING SOIL, MULCH, FERTILIZER, WATERING, MAINTENANCE, TRANSPORTATION, WARRANTY, ETC.
 12. GENERAL CONTRACTOR IS TO PROVIDE SPRINKLER SYSTEM PROPOSAL, IF APPLICABLE.
 13. REMOVE EXISTING SOIL TO A DEPTH OF 1" BELOW TOP OF CURB IN ALL PLANTING AREAS.
 14. TOPSOIL TO A DEPTH OF 4" IN ALL AREAS TO BE SEED OR SOODED.
 15. EACH PLANTING AREA IS TO RECEIVE A MINIMUM OF 4" OF APPROVED SOIL CULTIVATED TO 12" DEPTH. PREPARED SOIL SHALL BE MIXED AS FOLLOWS: 2/3 SANDY LOAM TOPSOIL FREE OF ROOTS, ROCKS, WEEDS AND OTHER DEBRIS, 1/3 PEAT MOSS OR APPROVED ORGANIC MULCH. SOIL OF HIGH AND VARYING ACIDITY SHALL BE TREATED APPROPRIATELY TO CORRECT FOR LOCAL CONDITIONS.
 16. THE USE OF PLASTIC TOPSOIL MUST BE APPROVED IN ADVANCE BY LANDSCAPE ARCHITECT.
 17. ALL BEDS TO BE TREATED WITH GRANULAR PREEMERGENT WEED CONTROL AND FERTILIZER IN ACCORDANCE WITH SPECIFICATIONS. USE FERTILIZER AS APPROVED BY LANDSCAPE ARCHITECT.
 18. TOP OF TOPSOIL SHALL BE 1" FROM TOP OF CURB TO PREVENT OVERFLOW.
 19. SOODED AND SEED AREAS SHALL BE PROPERLY PREPARED, FINISH GRADED AND HAND ROLLED PRIOR TO SOIL PLACEMENT OR SEEDING. SOODED AND SEED AREAS SHALL RECEIVE 4" OF APPROVED TOPSOIL AS NECESSARY TO PROVIDE AN EVEN STAND OF GRASS.
 20. IN THE EVENT OF A CONFLICT BETWEEN LOCAL JURISDICTIONAL ORDINANCES AND THESE PLANS, THE ORDER OF GOVERNING PRIORITY IS AS FOLLOWS:
A. COUNTY OR LOCAL JURISDICTIONAL STANDARDS;
B. EXISTING ORDINANCES;
C. EXISTING STANDARD 1000 DRAWING SHEETS.
 21. PROVIDE A WARRANTY ON ALL WORK FOR A MINIMUM OF ONE YEAR INCLUDING THE REPLACEMENT OF PLANTS THAT DIE OR BECOME UNHEALTHY. WARRANTY TO INCLUDE COVERAGE OF PLANTS FROM DEATH OR UNHEALTHY CONDITIONS. REPLACEMENT PLANTS SHALL BE THE SAME SIZE AND SPECIES AS SPECIFIED, AND THE REPLACEMENT SHALL BE COMPLETED WITHIN A NEW WARRANTY COMMENCING WITH THE DATE OF THE REPLACEMENT.
 22. MAINTAIN PLANT LIFE IMMEDIATELY AFTER PLACEMENT. CONTINUE MAINTENANCE THROUGHOUT THE PLANTING SEASON. MAINTENANCE SHALL INCLUDE APPLICATIONS OF PESTICIDES, WATERING, TRAINING AND PRUNING, DISEASE CONTROL, AND MAINTENANCE OF PLANT BRACING EQUIPMENT.

- LANDSCAPE REQUIREMENTS:**
1. 35% LF OF ADJACENT ROAD ± 20 ± 13.9 PU'S
NO. 7 (1 EX) MAJOR (50%), 45 SHRUBS = 18 PU'S
 2. 41% LF OF ADJACENT NON-RESIDENTIAL ± 15 = 21.9 PU'S
NO. 5 MAJOR, 115 SHRUBS = 28 PU'S
 3. 30 LF OF DUMPSTER (S) ± 15 = 2 PU'S
NO. 3 EVERGREENS, 3 SHRUBS = 2.1 PU'S
- TOTAL PLANTING UNITS REQUIRED: 41.8
TOTAL PLANTING UNITS PROVIDED: 48.1 PU'S
- 12 (1 EX) MAJOR, 0 MINOR, 3 EVERGREENS, 163 SHRUBS, 0 GROUND COVER

LANDSCAPE PLANTINGS		
SYMBOL	QUANTITY	REMARKS
	5	12-14" HT 2-2 1/2" CAL B & B FULL
	7	12-14" HT 2-2 1/2" CAL B & B FULL HORNLESS HONEY LOCUST
	3	6-7' HT 10" O.C. B & B FULL SCOTCH PINE
	9	2-3' HT 2-3" SPD B & B FULL LINDBERGH VIBURNUM
	128	18-24" HT 18-24" SPD B & B FULL STRIPED EUROANUM
	29	12-14" HT 18-24" SPD B & B FULL SMALL SARGENT JUNIPER



CONTRACTOR PURCHASER/DEVELOPER/APPLICANT
EXON CORPORATION
6301 IVY LANE
GREENBELT, MARYLAND 20770
PHONE: 11301513-7511
ATTN: MR. ROBERT CASERTA

FREDERICK WARD ASSOCIATES, INC.
ENGINEERS • ARCHITECTS • SURVEYORS
P.O. BOX 727, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014
PHONE: (410) 879-2090 (410) 838-1900 FAX: (410) 893-1243

EXON COMPANY, U.S.A.
Real Estate & Engineering
DATE: 10/20/97
DRAWN BY: KJ/JJ
CHK. BY: GHR
SCALE: 1" = 20'

SPECIAL EXCEPTION PLAN
LANDSCAPE PLAN
FOR AN EXON STATION LOCATED AT
2333 EASTERN BOULEVARD
BALTIMORE, MARYLAND

GRAPHIC SCALE
20 0 20 40 60 80 100

REVISIONS

DATE	BY	CHK.	REVISIONS

REVISIONS

DATE	BY	CHK.	REVISIONS

REVISIONS

DATE	BY	CHK.	REVISIONS

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REVISIONS

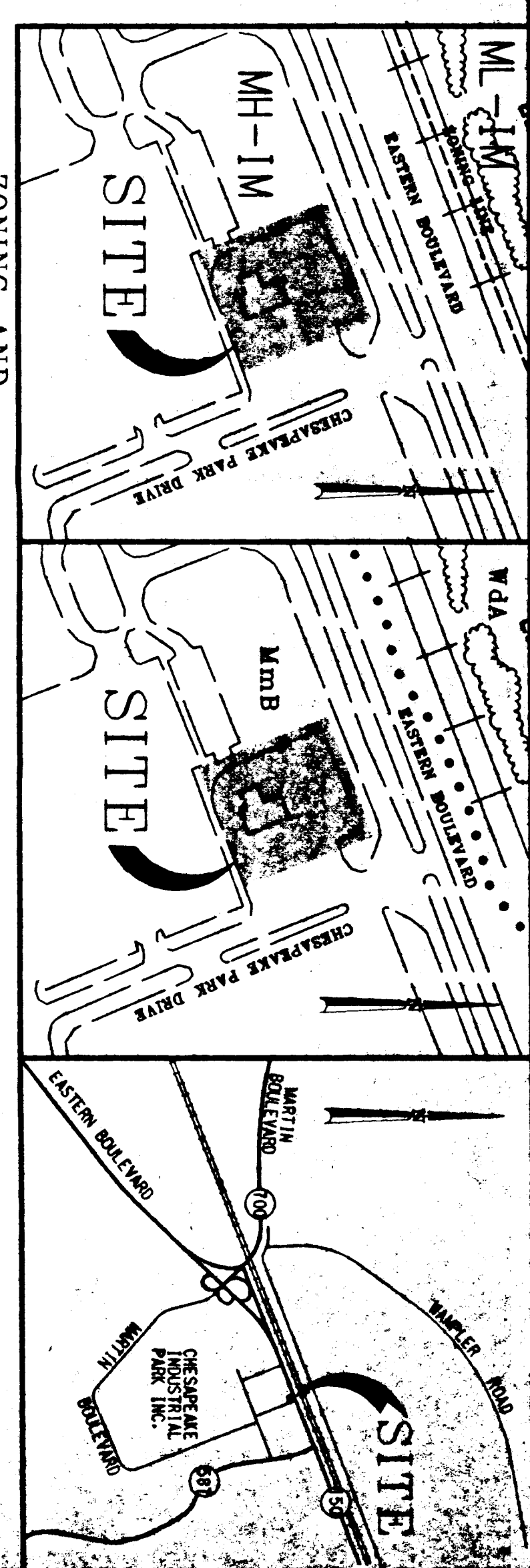
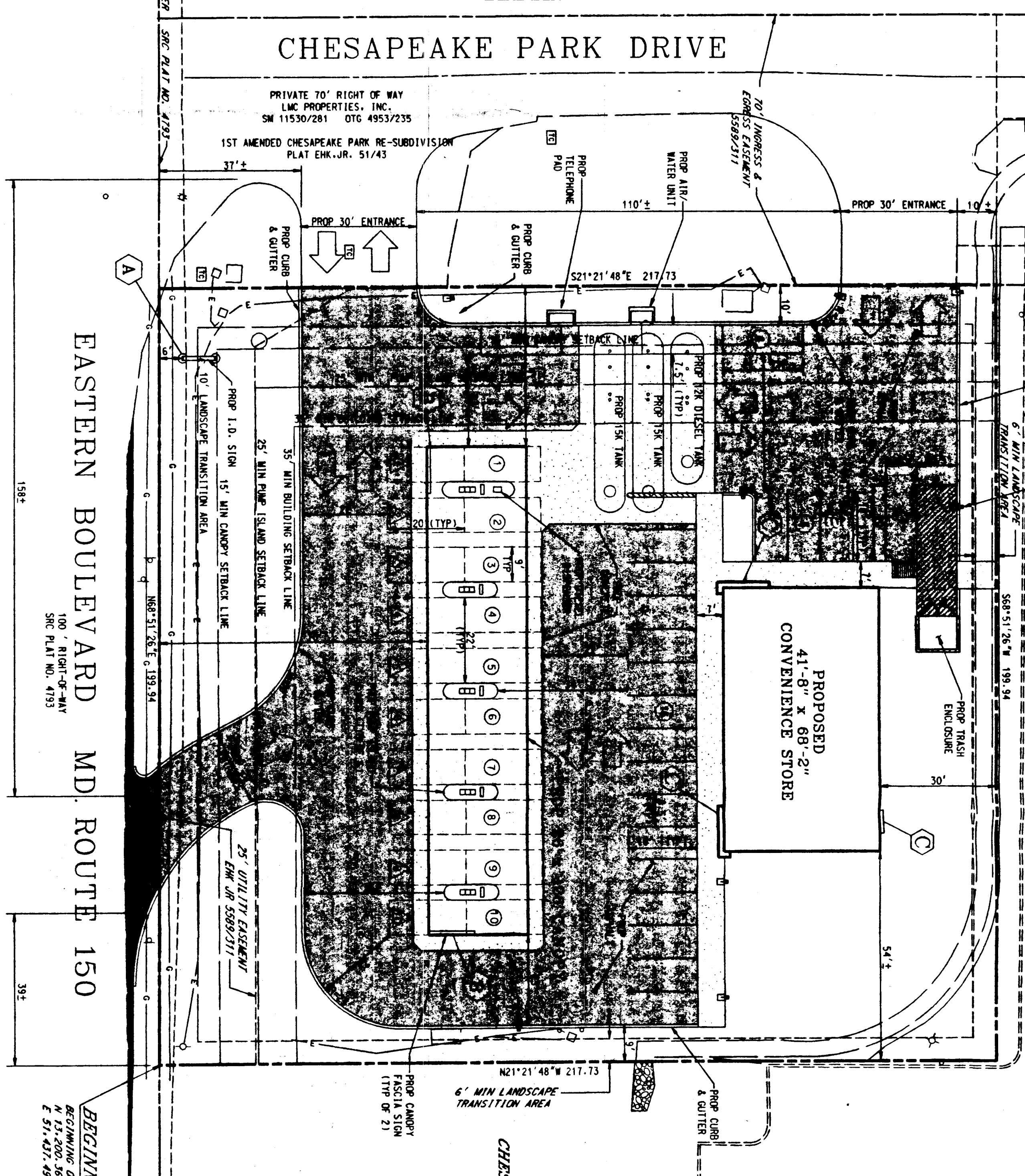
DATE	BY	CHK.	REVISIONS

LHC PROPERTIES, INC.
SM 11530/281
OTG 4853/235
BLOCK "B"
1ST AMENDED CHESAPEAKE PARK
RE-SUBDIVISION
PLAT EHK, JR. 51/43
ZONE MH-1M
USE: MANUFACTURING

LHC PROPERTIES, INC.
SM 11530/281
OTG 4853/235
BLOCK "A"
1ST AMENDED CHESAPEAKE PARK RE-SUBDIVISION
PLAT EHK, JR. 51/43
ZONE MH-1M
USE: MANUFACTURING

CHESAPEAKE PARK DRIVE

EASTERN BOULEVARD MD. ROUTE 150



SITE SOILS:
MMB - MATAPEX URBAN LAND COMPLEX
BALTIMORE COUNTY SOIL SURVEY MAP 41

SITE INFORMATION

- GROSS SITE AREA: 43,532 SF = 0.992 AC
- NET SITE AREA: 43,532 SF = 0.992 AC
- FLOOR AREA: CONVENIENCE STORE: 2,940 SF CARRY OUT RESTAURANT: 500 SF
- FLOOR AREA RATIO: 2,940 SF / 43,532 SF = 0.07
- ALLOWED = UP TO 2.0 1700004716
- ELECTION DISTRICT: 15
- COMPLIANCE DISTRICT: 5
- EXISTING USE: CLOSD BANK STATION USE IN COMBINATION WITH A CONVENIENCE STORE AND CARRY OUT RESTAURANT WITH AN ANCILLARY USE ATM
- CENSUS TRACT: 4,516.00
- WATERSHED: FIRST
- EXISTING IMPERVIOUS AREA: 34,213.32 SF = 0.781 AC
- PROPOSED IMPERVIOUS AREA: 30,513.32 SF = 0.700 AC
- TOTAL DISTURBED AREA: 43,560 SF = 1.0 AC
- THE SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN.
- THE SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN.
- THE SITE IS NOT A DESIGNATED AREA OF CRITICAL STATE AND NOT IN CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN A MILE OF THE SITE.
- THE SITE IS EXEMPT FROM OPEN SPACE REQUIREMENTS.
- THE SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN.
- RESTROOMS, WATER, AND COMPRESSED AIR WILL BE PROVIDED FOR THE SITE.
- SECTION 465.118 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
- SITE ADDRESS: EXION STATION 2333 EASTERN BOULEVARD E3501, MD 21220
- OWNER: EQUITABLE TRUST CO. 100 SOUTH CHARLES STREET BALTIMORE, MARYLAND 21201

ZONING NOTES

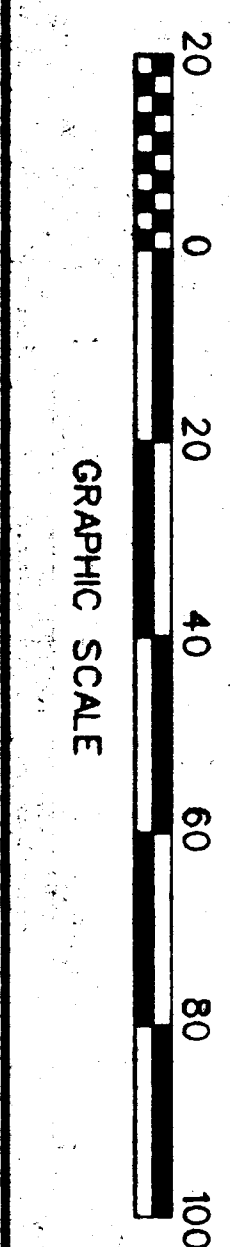
- AREA REQUIREMENTS
1. TO FILLING SPACES: 1,500 SF PER SPACE = 15,000 SF
2. CONVENIENCE STORE: 2,940 SF x 4 = 9,360 SF
3. CARRY OUT RESTAURANT: 500 SF x 6 = 3,000 SF
4. TOTAL SITE AREA: 12,360 SF
5. TOTAL SITE AREA: 12,360 SF
6. REQUIRED = 43,532 SF
7. REQUIRED = 28,360 SF
8. ACCESSORY BUILDING: 1 PER CARRY OUT x 3 = 3 SPACES
9. ACCESSORY BUILDING: 1 PER AIR/WATER UNIT x 1 = 1 SPACE
10. ACCESSORY BUILDING: 1 PER AIR/WATER UNIT x 1 = 1 SPACE
11. TOTAL: 20 SPACES
12. TOTAL: 1,000 SF OF CARRY OUT * 300 = 2,3
13. PROVIDED: 25 (INCLUDING ONE HANDICAP SPACE)
14. SITE ADDRESS: 2333 EASTERN BOULEVARD E3501, MD 21220
15. SITE ADDRESS: 2333 EASTERN BOULEVARD E3501, MD 21220
16. REQUIRED SETBACKS: BUILDING: RIGHT-OF-WAY: 35 FEET CARRY-OUT: 15 FEET 25 FEET LANDSCAPE TRANSITION AREAS: 10 FEET RIGHT-OF-WAY: 10 FEET REAR: 6 FEET SIDE: 6 FEET
17. ZONING HISTORY: NONE
18. REUSE REQUESTED:
19. SPECIAL EXCEPTION FOR A FUEL SERVICE STATION USE IN COMBINATION WITH A CONVENIENCE STORE AND A CARRY OUT RESTAURANT WITH AN ANCILLARY USE ATM.
20. VARIANCE: OF SECT. 450 IS REQUESTED TO PERMIT PRESTANDING SIGNAGE TOTALING 104.68 SQ. FT. IN LIEU OF THE REQUIRED 75 SQ. FT.
21. A LIMITED EXEMPTION PURSUANT TO B.C. CODE SECT 26-1111011) WILL BE GRANT.

LEGEND

- DENOTES PROP. SIGN KEY
- DENOTES PROP. PARKING SPACES
- DENOTES PROP. TRAFFIC FLOW (NOT PAINT STRIPING)
- DENOTES PROP. AND SERVICING
- DENOTES PROP. AND STACKING

SPECIAL EXCEPTION PLAN

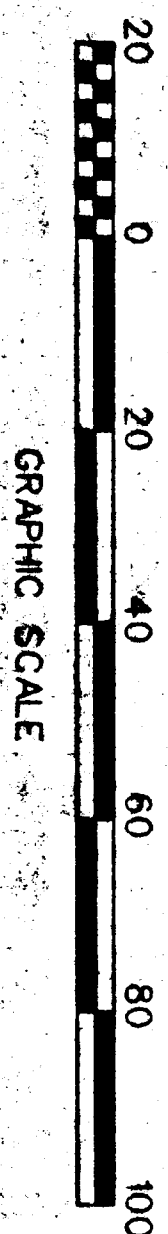
PROJECT NO.	97234.00
DATE	10/20/97
DESIGNED BY	JULIE
CHECKED BY	CHS
SCALE	1"=40'
FOR AN EXION STATION LOCATED AT 2333 EASTERN BOULEVARD BALTIMORE, MARYLAND	
PROJECT NO.	97234.00
DATE	10/20/97
DESIGNED BY	JULIE
CHECKED BY	CHS
SCALE	1"=40'



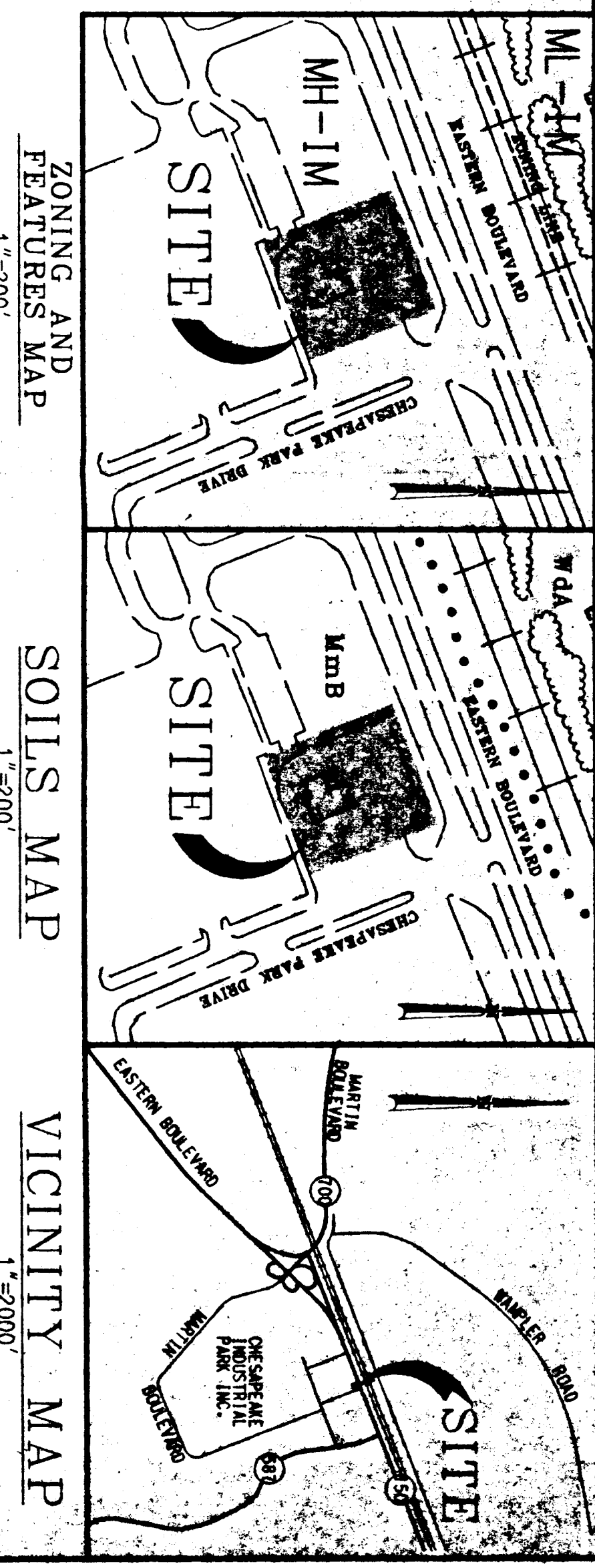
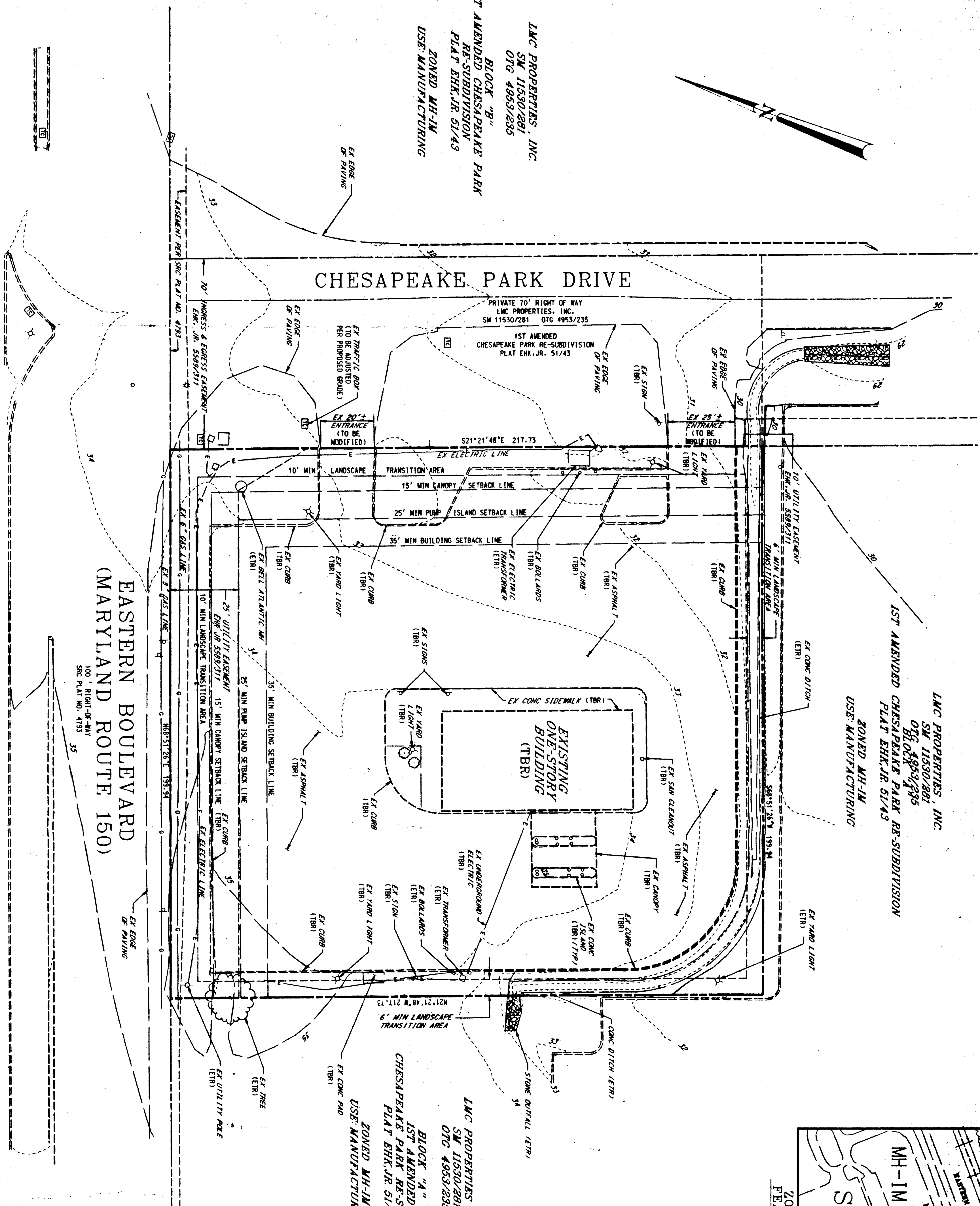
CONTRACT PURCHASER/DEVELOPER/APPLICANT
EXION CORPORATION
6301 WYOMING AVE
SUITE 100
GREENBELT, MARYLAND 20770
PHONE: (11301)513-7511
ATTN: MR. ROBERT CASERTA

FREDERICK WARD ASSOCIATES, Inc.
ENGINEERS • ARCHITECTS • SURVEYORS
P.O. BOX 727, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014
PHONE: (410) 819-2090 (410) 838-7900 FAX: (410) 833-1543

- LEGEND**
- EXISTING GAS LINE
 - EXISTING ELECTRIC LINE
 - EXISTING WATER LINE
 - EXISTING TELEPHONE LINE
 - EXISTING TRAFFIC CONTROL
 - EXISTING UTILITY POLE



**EASTERN BOULEVARD
(MARYLAND ROUTE 150)**



SITE SOIL:
MHB - MATIPEX URBAN LAND COMPLEX
BALTIMORE COUNTY SOIL SURVEY MAP 41

A. PLAN PREPARED BY: DEVELOPER/CONTRACT PURCHASER
EXON CORPORATION
6301 IY LANE, SUITE 200
GREENBELT, MARYLAND 21070
PHONE: (410) 819-2800

OWNER:
EXON CORPORATION
6301 IY LANE, SUITE 200
GREENBELT, MARYLAND 21070
PHONE: (410) 819-2800

B. ENVIRONMENTAL INFORMATION

EXISTING	NOTING	FIELD	FIELD	REMARKS
EXISTING	RE-INVENTED	VERIFIED		
X		X		TOPOGRAPHY AND STREET GRADES
X	X		X	APPROXIMATELY 5 FT. CONTIGUOUS
X	X	X		SLOPES GREATER THAN 25%
				100 YEAR FLOOD PLAIN
X				SOILS LABELED ACCORDING TO SOIL
				SURVEY, BALTIMORE COUNTY
				WETLANDS
				FOREST BUFFER, WETLANDS, INCLUDING
X	X			WETLANDS, INCLUDING
				LAND COVER ON AND WITHIN 200
X				FT. OF SITE.
X				STORMWATER TREATMENT PLANT
				ON SITE AND WITHIN
X	X			100 FT. OF SITE.
X				SEPTIC ON SITE AND WITHIN
X				100 FT. OF SITE.
X		X		UNDERGROUND FUEL TANKS ON SITE
X				AND WITHIN 100 FT. OF SITE
X				SOIL EVALUATION TESTS
X				ON SITE
				PERC TESTS PERFORMED
			</	

C. EXISTING BUILT CONDITIONS

EXISTING NOT	REMARKS
EXISTING	
X	LOCATION OF EXISTING BUILDINGS WITHIN 200
X	FT. OF SITE BOUNDARIES
X	LOCATION OF EXISTING ROADS WITHIN 200 FT. OF
X	SITE BOUNDARIES
X	DESIGNATED HISTORIC SITES
X	SIGNIFICANT VIEWS
X	SIGNIFICANT FEATURES (SPECIFIC TREES, BUILDINGS,
X	STREETSCAPE, ETC.)
X	LAND USES ON AND WITHIN 200 FT. OF SITE
X	ROAD RIGHT-OF-WAY AND EASEMENTS

D. COUNTY ADOPTED PLANS

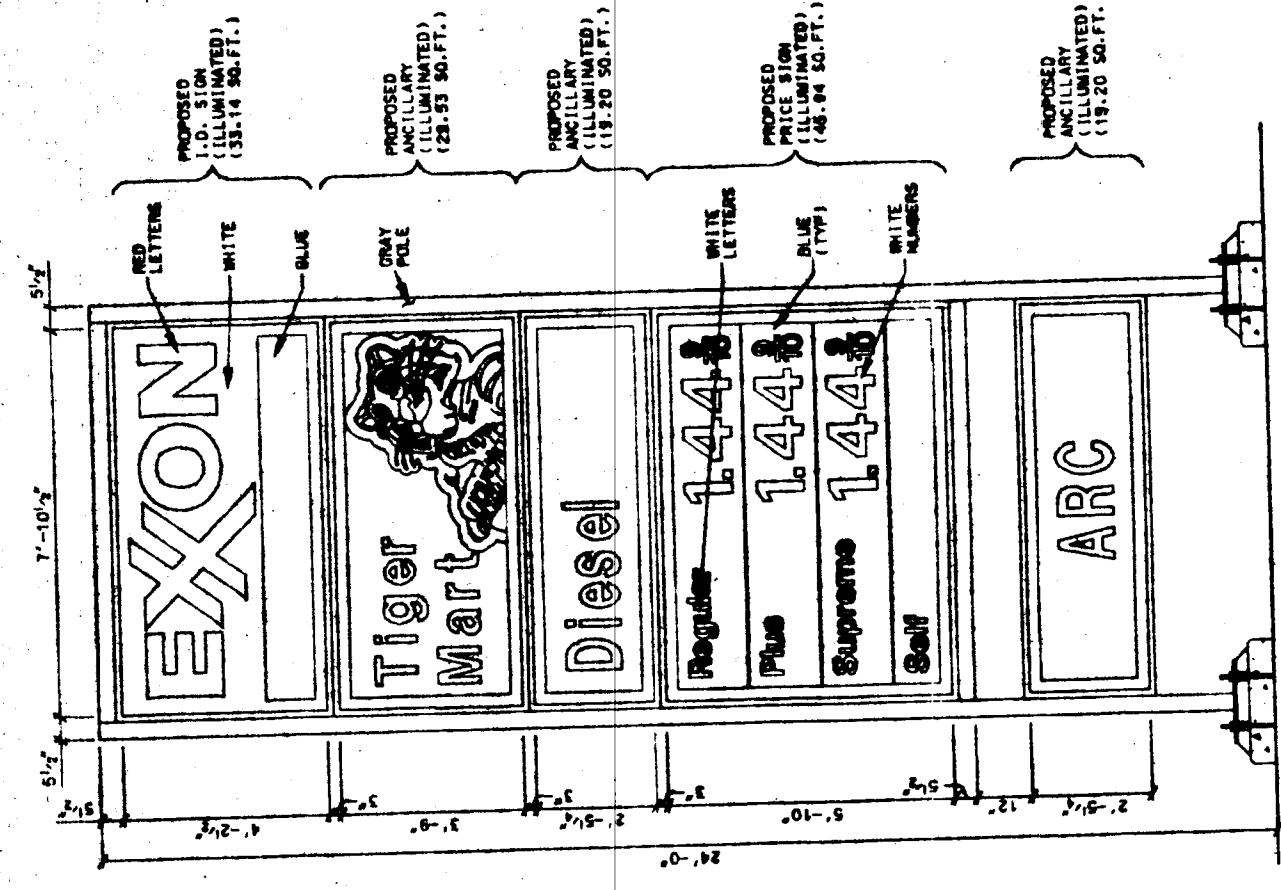
EXISTING NOT	REMARKS
EXISTING	
X	BALTIMORE COUNTY MASTER PLAN 1988-2000
X	COMMUNITY OR REVITALIZATION PLANS
X	RECREATION AND PARKS PLAN
X	STREETSCAPE AND PARKS PLAN
X	STREETSCAPE PLAN
X	GREENWAYS PLAN
X	OTHER:

SPECIAL EXCEPTION PLAN

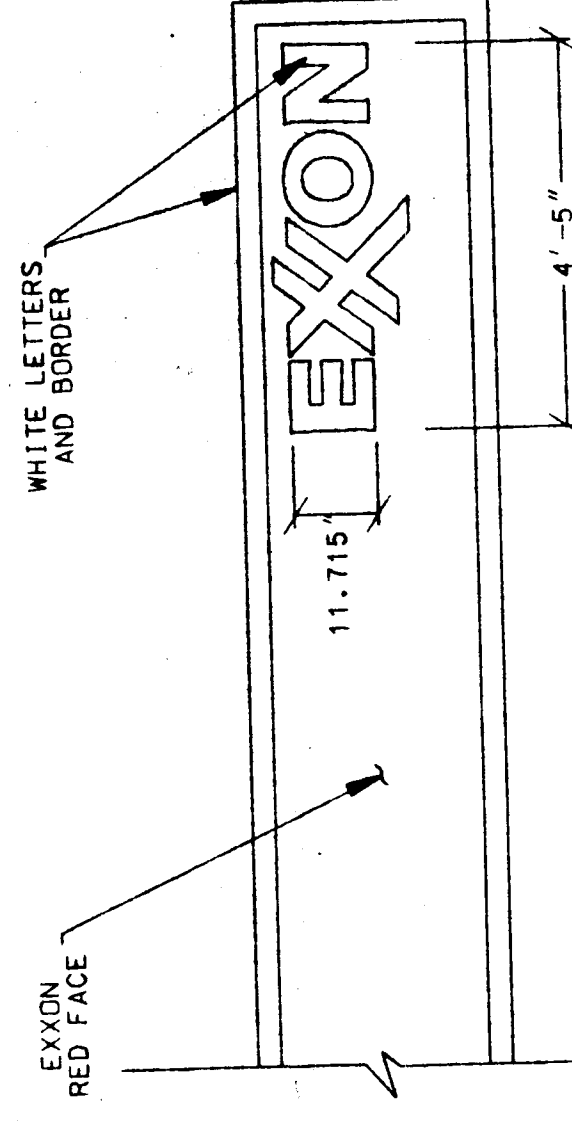
EXON COMPANY, U.S.A. a division of Exxon Corporation
6301 IY LANE, SUITE 200
GREENBELT, MARYLAND 21070
PHONE: (410) 819-2800

DATE: 10/20/97
DESIGNER: DR. J. J. J. J.
CHECKED: DR. J. J. J. J.
SCALE: 1" = 20'

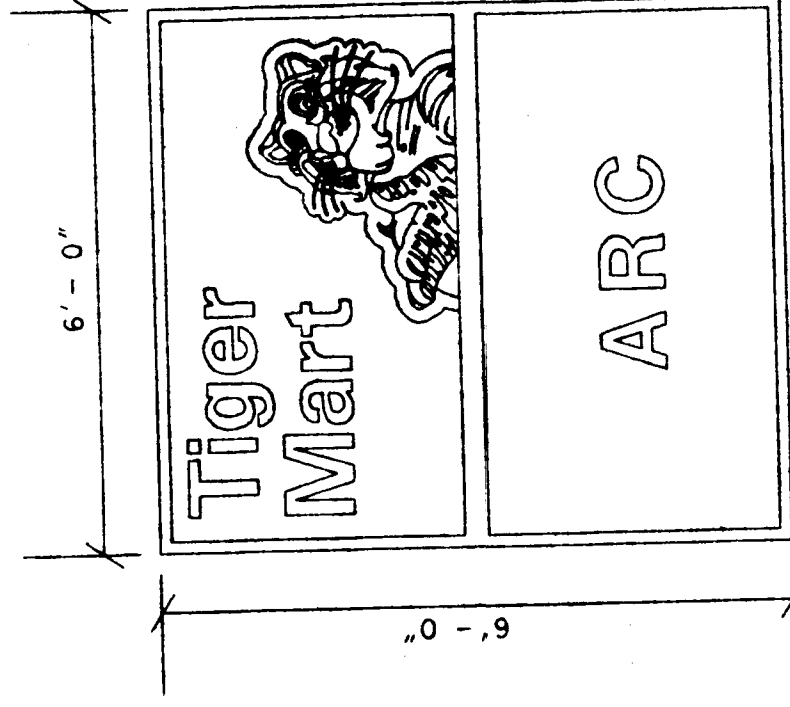
98-173-1A



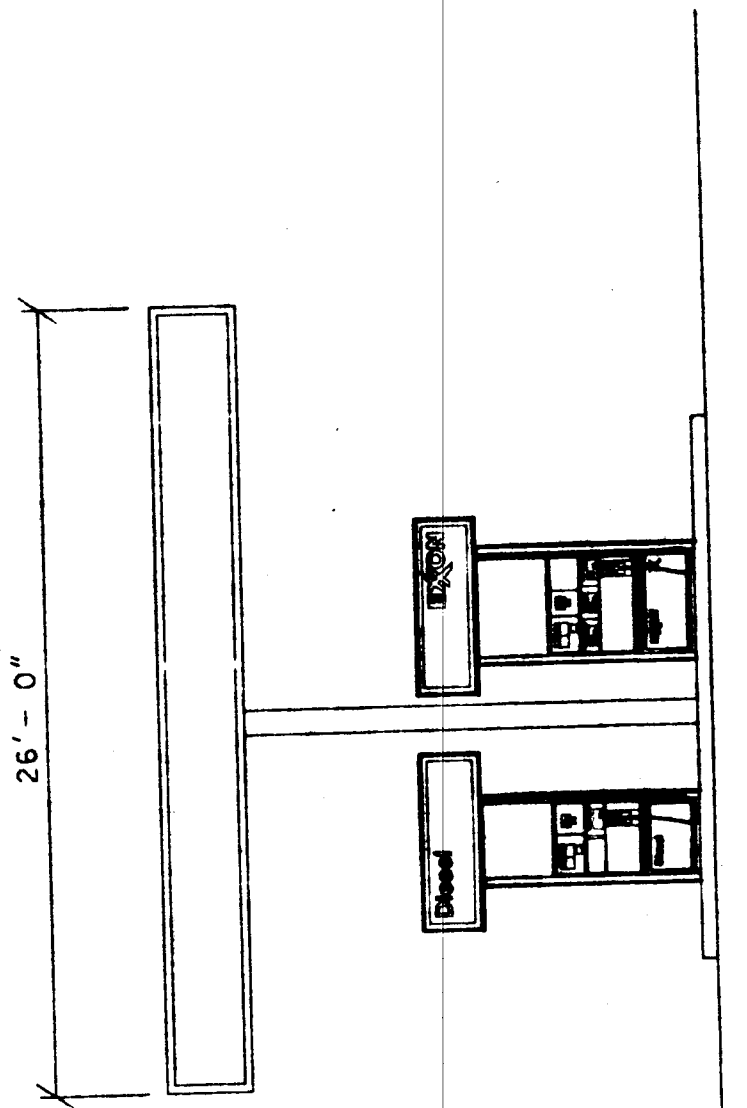
A PROPOSED MAJOR I.D. SIGN
INTERNALLY ILLUMINATED, DOUBLE FACE
NOT TO SCALE



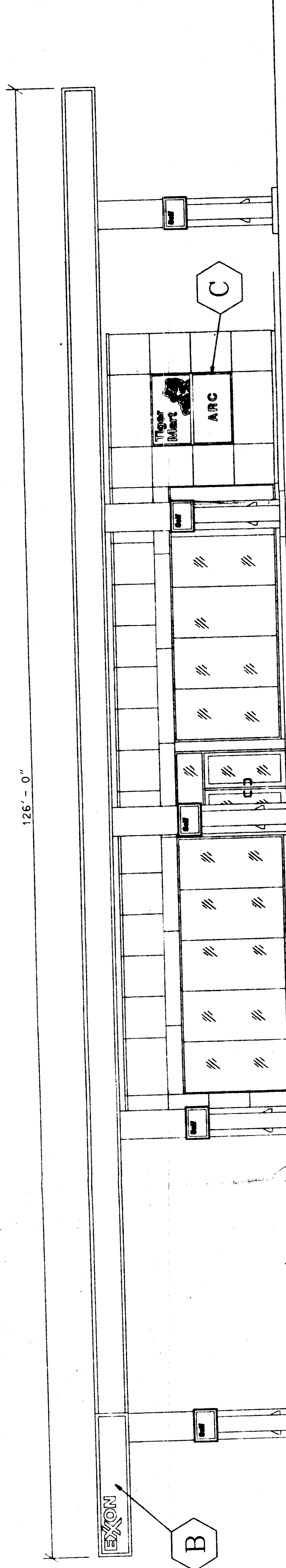
B PROPOSED CANOPY FASCIA SIGN - 4.33 SQ. FT.
TWO (2) SINGLE SIDED SIGNS - 8.66 SQ. FT.
INTERNALLY ILLUMINATED
NOT TO SCALE



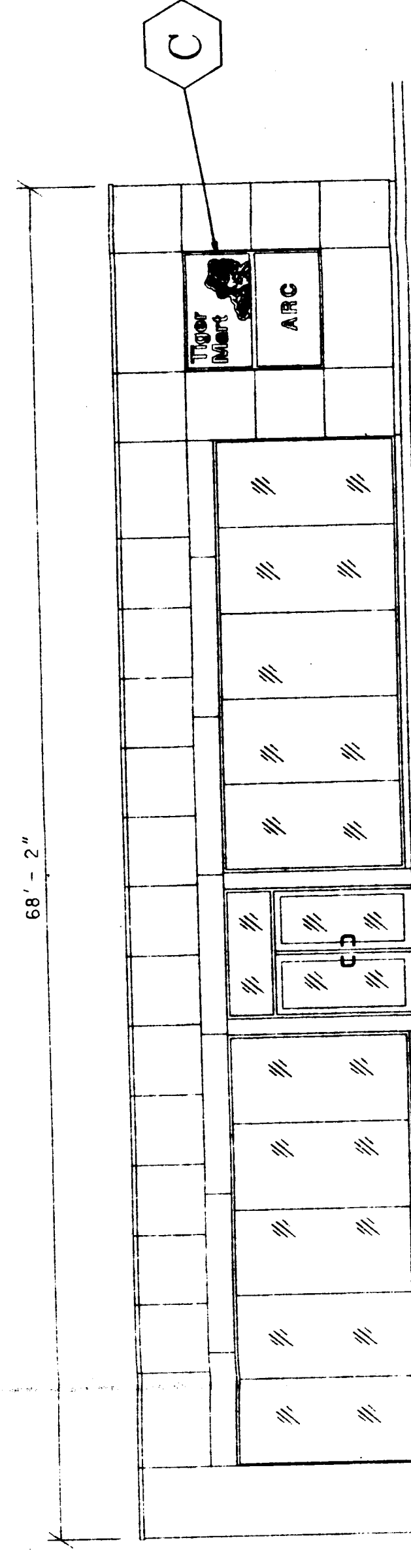
C PROPOSED BUILDING SIGN - 36.00 SQ. FT.
THREE (3) SINGLE SIDED SIGNS
INTERNALLY ILLUMINATED
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE



FRONT ELEVATION
NOT TO SCALE



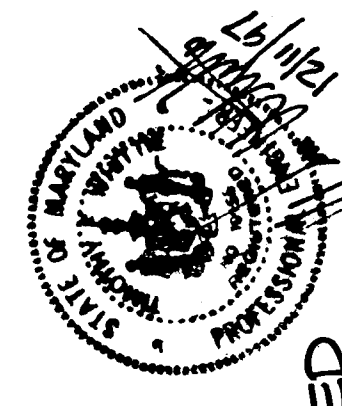
FRONT ELEVATION - BUILDING ONLY
NOT TO SCALE

SIGNAGE CALCULATIONS

1. FREESTANDING SIGNAGE:
A. PERMITTED: TWO (2) 4.33 SQ. FT. (PURSUANT TO RCZ 450 ET SEQ.)
B. PROPOSED:
ONE FREESTANDING SIGN: 4.33 SQ. FT.
TIGER MART: 29.53 SQ. FT.
DIESEL: 19.20 SQ. FT.
REGULAR: 19.20 SQ. FT.
PLUS: 19.20 SQ. FT.
SUPREME: 19.20 SQ. FT.
TOTAL: 104.68 SQ. FT.

11. BUILDING/CANOPY SIGNAGE:
A. CANOPY
PERMITTED: 25 SQ. FT. PER CANOPY SIGN (MAXIMUM OF 6)
(PURSUANT TO RCZ 450 ET SEQ.)
PROPOSED: TWO (2) 4.33 SQ. FT. CANOPY FASCIA SIGNS

B. BUILDING
PERMITTED: TWO (2) 36.00 SQ. FT. PER LINEAR FT. OF BLDG. FRONTAGE
(PURSUANT TO RCZ 450 ET SEQ.)
EASTERN BOULEVARD: 2 x 68'-2" = 136.32 SQ. FT.
PROPOSED (1) FRONTING EASTERN BOULEVARD
(2) ONE TIGER MART/ARC SIGN OF 36 SQ. FT.
FRONTING CHESTERMAN PARK DRIVE
ADJOINING PROPERTY SIDEWALK: 2 x 68'-2" = 136.32 SQ. FT.
PROPOSED: ONE TIGER MART/ARC SIGN OF 36 SQ. FT.
ON THE REAR OF THE BUILDING



FREDERICK WARD ASSOCIATES, INC.
ENGINEERS • ARCHITECTS • SURVEYORS
P.O. BOX 127, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014
PHONE: (410) 879-2090 (410) 838-7900 FAX: (410) 833-1243

AMENDED

NO. DATE REVISIONS
11/1/97 MOVE CANOPY FORWARD

BY **EXXON CORPORATION**
6301 Ivy Lane, Suite 100
Greenbelt, Maryland 20770
1-800-313-7511

DATE: 10/20/97 BUILDING AND SIGNAGE PLAN

DRAWN BY: KES/JU CHK. BY: GHR

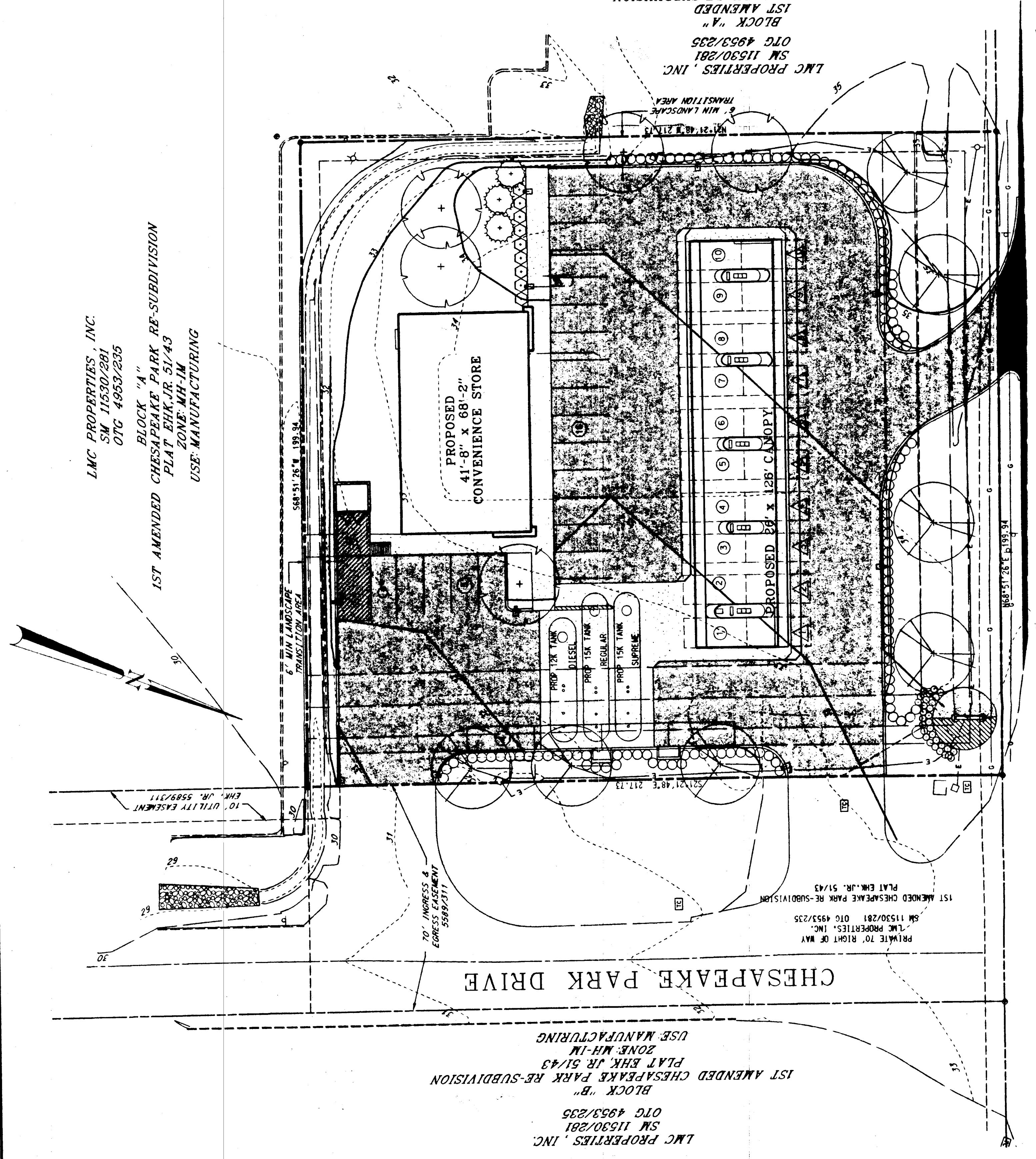
SCALE: AS SHOWN

2333 EASTERN BOULEVARD
BALTIMORE, MARYLAND



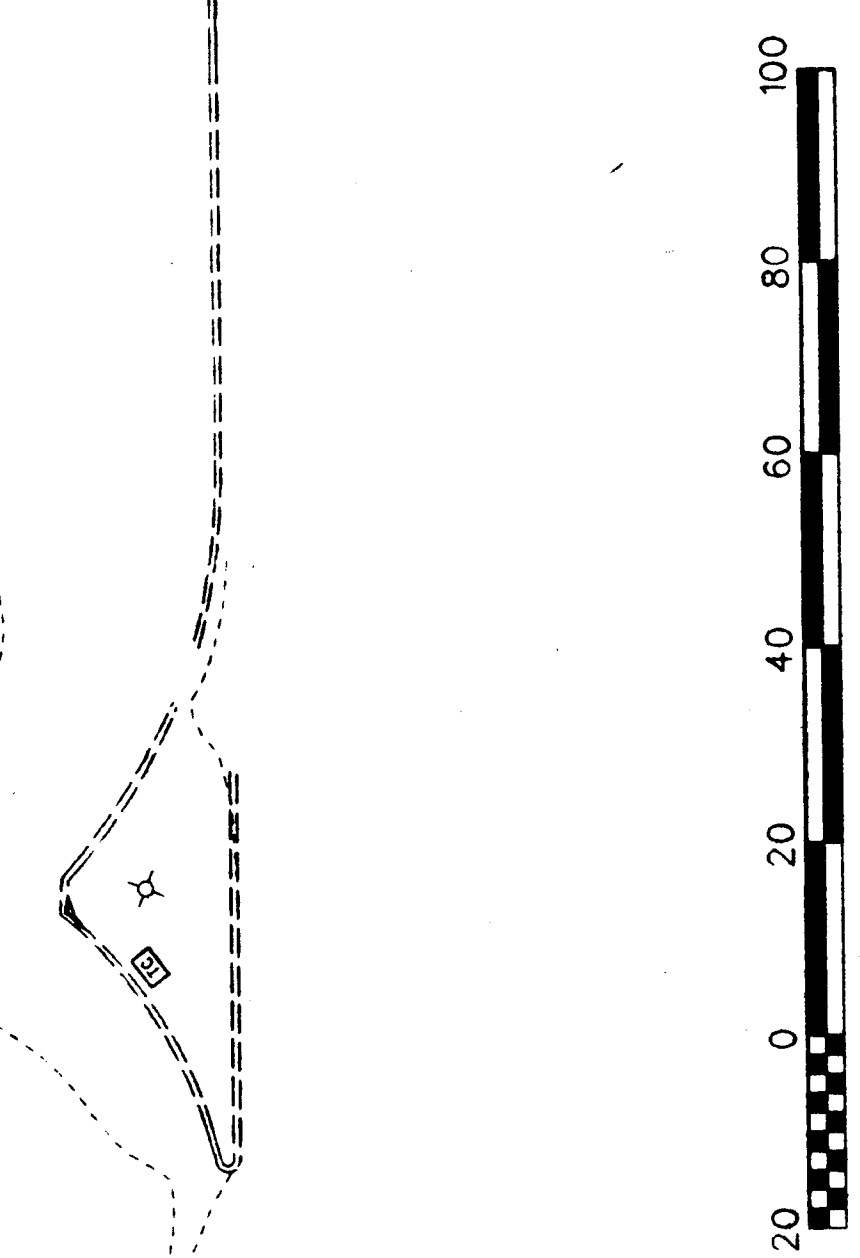
PROJECT NO.: 91224-SP
P&ID NO.: P&ID03-000-
DATE: 8-0-00
DWG. NO.: 3 OF 4

SPECIAL EXCEPTION PLAN



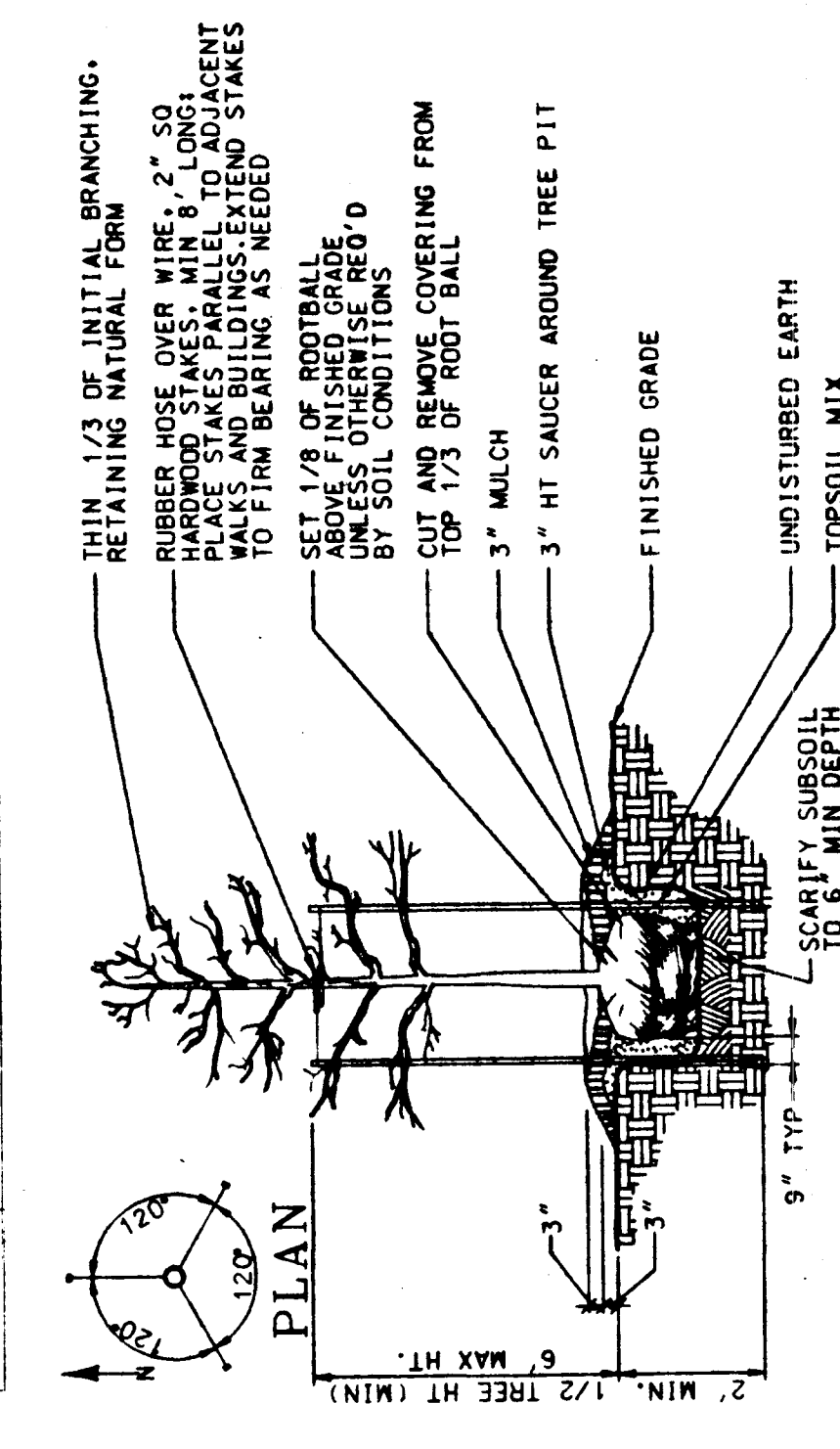
EASTERN BOULEVARD MD. ROUTE 150

SPEED LIMIT 45 M.P.H.
100' R.O.W. OF HWY
SIC PLAT NO. 4715

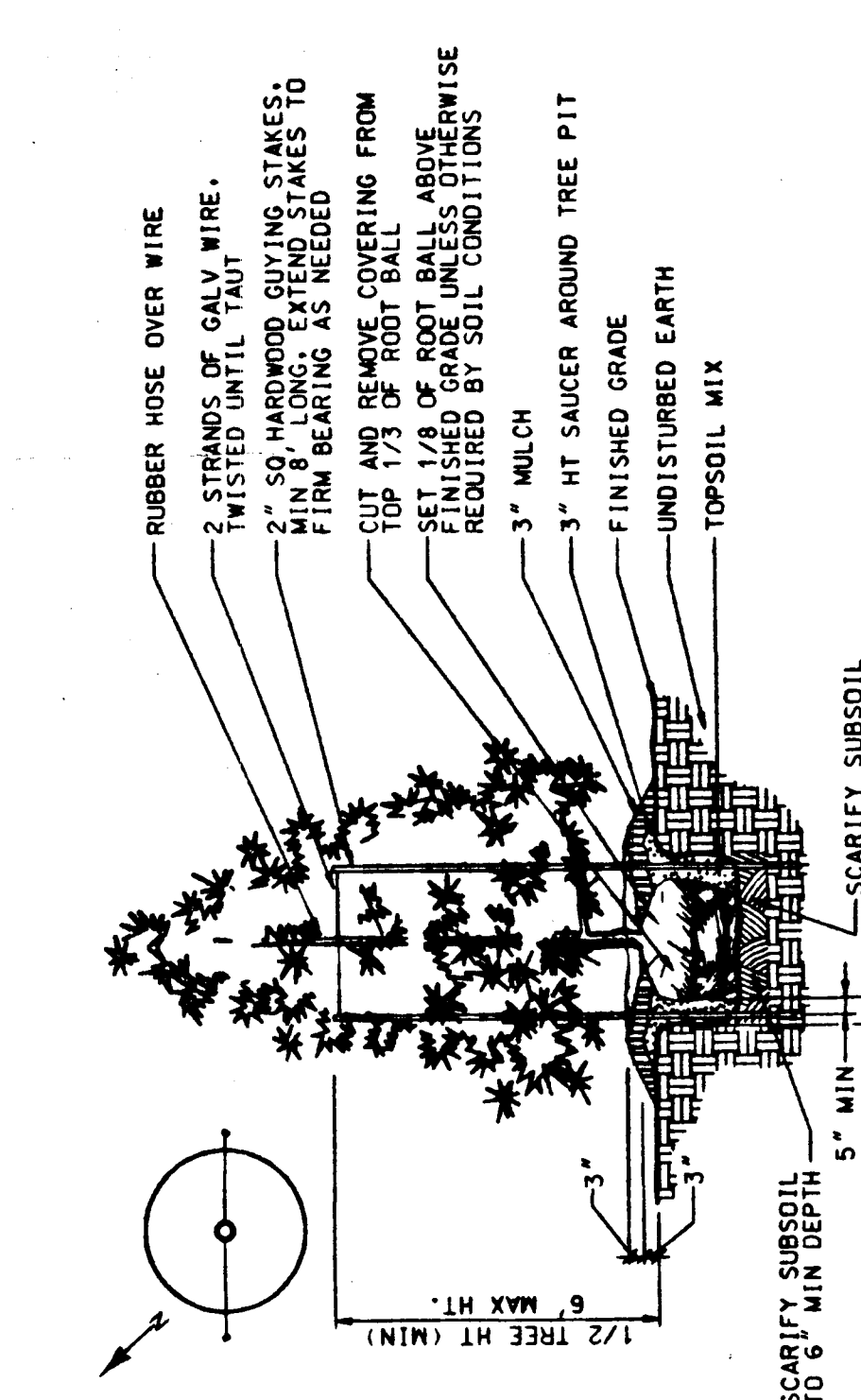


GRAPHIC SCALE

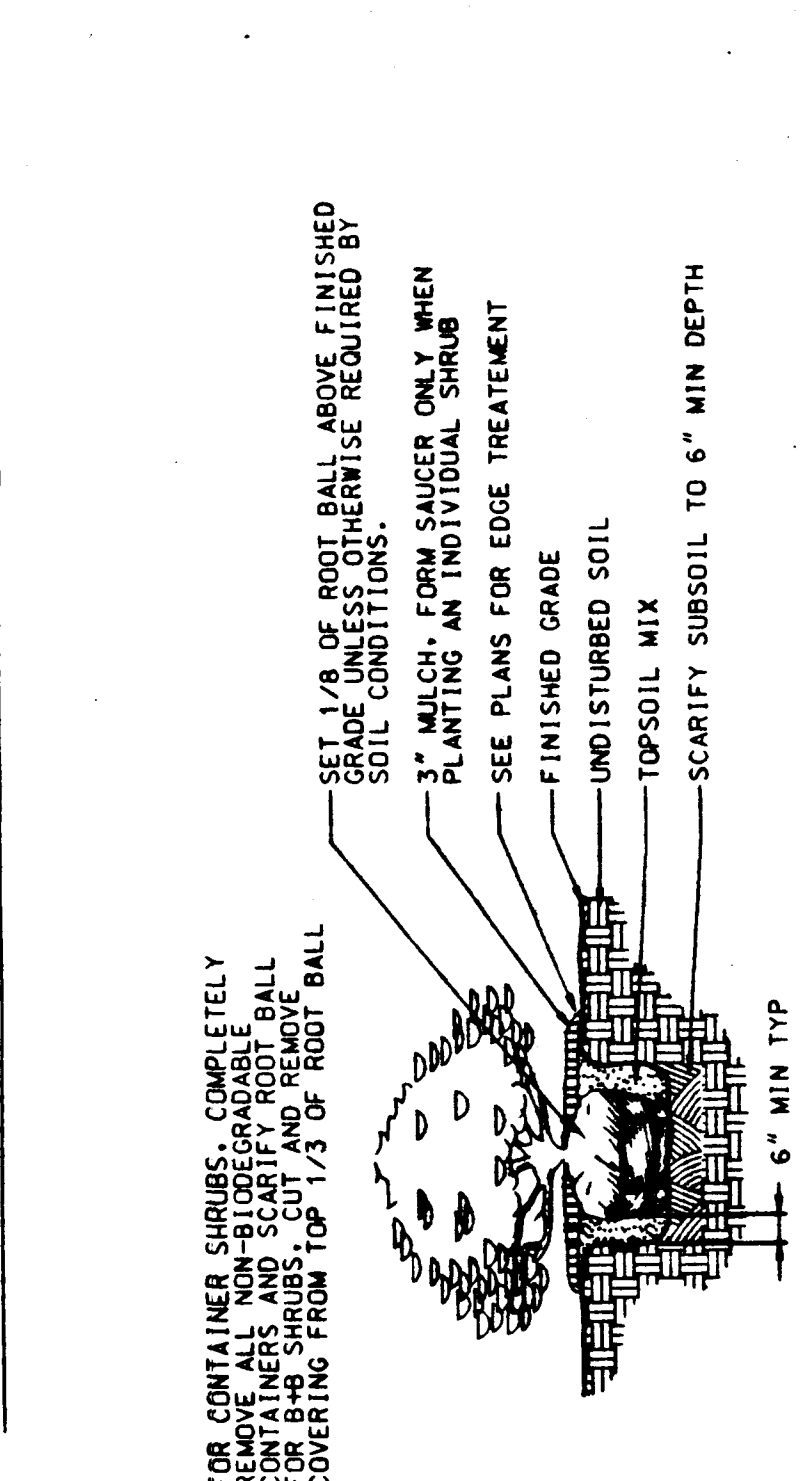
LANDSCAPE PLANTINGS			
SYMBOL	QUANTITY	BOTANICAL/COMMON NAME	REMARKS
	5	ZELKOVA SEROTINA JAPANESE YEW	8 & 8 FULL 12-14' HT 2-2 1/2" CAL
	7	GLEITSIA TRIACANTHOS VAR. INERMIS THORNLESS HONEY LOCUST	8 & 8 FULL 12-14' HT 2-2 1/2" CAL
	3	PINUS STROBUS SCOTCH PINE	8 & 8 FULL 10' D.C.
	9	VIBURNUM DENTATUM LINCOLN VIBURNUM	8 & 8 FULL 4' D.C.
	128	ECHINOPS RITRO SILVER ECHINOPS	8 & 8 FULL 3' D.C.
	29	JUNIPERUS CHINENSIS SARGENT JUNIPER	8 & 8 FULL 2 1/2" D.C.



DECIDUOUS TREE PLANTING (UP TO 3" CALIPER)



EVERGREEN TREE PLANTING DETAIL



SHRUB PLANTING DETAIL

SPECIAL EXCEPTION PLAN

AMENDED

NO.	DATE	REVISIONS	BY	EXON CORPORATION	PROJECT NO.
	10/11/97	MOVE CANOPY FORWARD		Greenbelt - South Market Development Team	97284.00
				DATE: 10/20/97	PS204.DGN
				DRAWN BY: KJ/JJ	PAS 8-0400
				CHK. BY: GHR	DATE: 4/97
				SCALE: 1" = 20'	

2333 EASTERN BOULEVARD
BALTIMORE, MARYLAND

GENERAL PLANTING NOTES

1. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE "USA STANDARD FOR NURSERY STOCK", LATEST EDITION.
2. ALL PLANTING SHALL BE IN ACCORDANCE WITH STANDARD AMERICAN ASSOCIATION OF NURSERYMEN PROCEDURES AND SPECIFICATIONS.
3. CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL VERIFY THE CORRECT LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO INSTALLATION OF ANY PLANT MATERIALS.
4. CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL VERIFY THE CORRECT LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO PLANTING.
5. ALL PLANT BEDS AND PLANTING AREAS TO BE MALCHED TO A DEPTH OF 3" SHREDDED HARDWOOD BARK UNLESS OTHERWISE NOTED ON DRAWINGS OR SPECIFICATIONS.
6. ALL AREAS DISTURBED BY PLANTING OPERATIONS SHALL BE FINE GRADED AND SOODED.
7. OBTAIN APPROVAL FROM ARCHITECT'S OR OWNER'S REPRESENTATIVE BEFORE MAKING ANY SUBSTITUTIONS OR CHANGES.
8. ALL PLANT BEDS SHALL BE CONTAINED WITH A SPACED EDGE UNLESS OTHERWISE NOTED ON DRAWINGS.
9. QUANTITIES SHOWN ON PLANT LIST ARE FOR THE CONTRACTORS CONVENIENCE ONLY AND ARE NOT GUARANTEED TO BE ACCURATE. IN THE EVENT OF A DISCREPANCY BETWEEN QUANTITIES SHOWN ON THE PLAN AND QUANTITIES SHOWN ON THE PLANT LIST, THE QUANTITIES ON THE PLAN SHALL APPLY.
10. THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE AND THE LANDSCAPE MANUAL.
11. GENERAL CONTRACTOR IS TO PROVIDE ALL MATERIALS AND LABOR, INCLUDING PLANTS, PLANTER FILL MATERIALS, MULCHES, SPRINKLER SYSTEM, SOIL PREPARATION, DECORATIVE ITEMS, INSPECTION, TRANSPORTATION, WARRANTY, ETC.
12. GENERAL CONTRACTOR IS TO PROVIDE SPRINKLER SYSTEM PROPOSAL, IF APPLICABLE.
13. REMOVE EXISTING SOIL TO A DEPTH OF 7" BELOW TOP OF CURB IN ALL PLANTING AREAS.
14. TOPSOIL TO A DEPTH OF 4" IN ALL AREAS TO BE SEED OR SOODED.
15. EACH PLANTING AREA IS TO RECEIVE A MINIMUM OF 6" OF PREPARED SOIL CULTIVATED TO A 12" DEPTH. PREPARED SOIL SHALL BE MIXED AS FOLLOWS: 2/3 SANDY LOAM TOPSOIL FREE OF ROCKS, ROCKS, WEEDS AND OTHER DEBRIS TO BE CRANDED FERTILIZED OF 12-21 RATIO. SOIL OF HIGH ALKALINITY OR ACIDITY SHALL BE TREATED APPROPRIATELY TO CORRECT FOR LOCAL CONDITIONS.
16. THE USE OF ON-SITE TOPSOIL MUST BE APPROVED IN ADVANCE BY LANDSCAPE ARCHITECT.
17. ALL BEDS TO BE TREATED WITH GRANULAR PREEMERGENT WEED CONTROL PER MANUFACTURER'S DIRECTIONS. USE TREPLAN OR EQUAL AS APPROVED BY LANDSCAPE ARCHITECT.
18. TOP OF TOPSOIL SHALL BE 1" FROM TOP OF CURB TO PREVENT OVERFLOW.
19. SOODED AND SEED AREAS SHALL BE PROPERLY PREPARED, FINISH GRADED AND HAND ROLLED PRIOR TO SOO PLACEMENT OR SEEDING. SOODED AND SEED AREAS SHALL RECEIVE 4" OF APPROVED TOPSOIL CULTIVATED TO A DEPTH OF 8". SEED AREAS SHALL BE RE-SEED AS NECESSARY TO PROVIDE AN EVEN STAND OF GRASS.
20. IN THE EVENT OF A CONFLICT BETWEEN LOCAL JURISDICTIONAL STANDARDS AND THESE PLANS, THE ORDER OF GOVERNING PRIORITY IS AS FOLLOWS:
A. COUNTY OR LOCAL JURISDICTIONAL STANDARDS;
B. THESE "GENERAL PLANTING AND LANDSCAPING NOTES";
C. EXON STANDARD 1000 DRAWING SHEETS.
21. PROVIDE A WARRANTY ON ALL WORK FOR A MINIMUM OF ONE YEAR INCLUDING ONE CONTINUOUS GROWING SEASON. COMMENCE WARRANTY ON THE DATE IDENTIFIED IN THE CERTIFICATE OF SUBSTANTIAL COMPLETION. WARRANTY SHALL BE VOID IF ANY PLANT MATERIALS ARE FOUND DEAD OR DISEASED. REPLACEMENT PLANTS SHALL BE THE SAME SIZE AND SPECIES AS SPECIFIED, PLANTED IN THE NEXT GROWING SEASON WITH A NEW WARRANTY COMMENCING WITH THE DATE OF THE REPLACEMENT.
22. MAINTAIN PLANT LIFE IMMEDIATELY AFTER PLACEMENT. CONTINUE MAINTENANCE UNTIL TERMINATION OF WARRANTY. MAINTENANCE TO INCLUDE WEEDING, APPLICATIONS OF PESTICIDES, WATERING, TRIMMING AND PRUNING, DISEASE CONTROL, AND MAINTENANCE OF PLANT BRACING EQUIPMENT.

LANDSCAPE REQUIREMENTS:

1. 358 LF OF ADJACENT ROAD ± 20' = 17.9 PU'S
2. 110 LF OF ADJACENT NON-RESIDENTIAL ± 15' = 21.9 PU'S
3. 30 LF OF DUMPSTER (5) ± 15' = 2 PU'S
4. 110 LF OF ADJACENT NON-RESIDENTIAL ± 15' = 21.9 PU'S
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100. 110 LF OF ADJACENT NON-RESIDENTIAL ± 15' = 21.9 PU'S

